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1991

URBAN/MUNICIPAL

July 30/91 - Aug/27/91

MEETING OF THE COUNCIL OF THE
CORPORATION OF THE CITY OF
HAMILTON



CITY HALL
HAMILTON, ONTARIO
L8N 3T4

TEL: 546-2700
FAX: 546-2095

CITY CLERK

J.J. SCHATZ
DEPUTY CITY CLERK

THE CORPORATION OF THE CITY OF HAMILTON
OFFICE OF THE CITY CLERK

**MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON**

**Tuesday, July 30, 1991
7:30 o'clock p.m.
Council Chambers, City Hall**

AGENDA

1. Opening Prayer

Pastor Stan Reeder
First Church of the Nazarene

2. Presentations

- (a) Certificate of Recognition to George Evans
- (b) Certificate of Congratulations to Gwynneth Cook

3. Announcement

Hamilton Gallery of Distinction

4. Minutes

June 25, 1991

5. Petitions and Correspondence

6. Reports of the Standing Committees

- (a) Transport and Environment Committee
- (b) Parks and Recreation Committee
- (c) Planning and Development Committee
- (d) Information Systems Committee
- (f) Report of His Worship Mayor Robert M. Morrow
- (h) Finance and Administration Committee

7. Notices of Motion for Next Meeting


8. First Reading of the Bills

9. Second Reading of the Bills - Committee of the Whole

10. Third Reading of the Bills

11. Question Period

12. Adjournment



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M I N U T E S

June 25, 1991

Hamilton City Council
June 25, 1991
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met.

Present: Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps,
Wilson, Agostino, Lombardo, Formosi, Jackson, Merling, Gallagher, Murray,
Ross.

Absent: Mayor R. M. Morrow. - Civic Business

Alderman Merling, Acting Mayor called the meeting to order.

* * * * *

Reverend Charles Stirling, Church of St. Bartholomew led the Council in prayer.

* * * * *

The following presentations were made:

The Acting Mayor presented a certificate to Mr. Dave Andrews, President and Marg Koropatnicki, Vice-President of the Rosedale Community Council in recognition of their 40th Anniversary.

* * * * *

The Acting Mayor presented a Certificate of Appreciation to the Cheerleading Team of Westmount Secondary School for being first place winners of the Hamilton Cheerleading Competitions for three years in a row.

* * * * *

The Acting Mayor presented civic awards to the Hamilton Transway Basketball Team (10 and 11 year old girls) who won the Seneca Falls International Championship in New York; the Waterford International Championship in Michigan; the Ontario Championships in Sarnia; the Terrebonne Invitational in Quebec; the Brookwood Invitational in Quebec; and, the Hamilton Winterfest Invitational.

* * * * *

June 25, 1991

The Acting Mayor and Mr. L. Fenyvesi of the Human Resources Centre presented Safety Quiz Awards to the following employees: Betty Carter - City Clerk's Department, Brad Fleming - Forestry, Public Works Department, Donald Johnston - Ferguson Yard, Public Works Department, Marsha Josling - Fleet Services, Public Works Department, Gerard Melia, Station #9, Fire Department, Richard Oshaneck, Fleet Services, Public Works Department, Chris Van Berkel - Traffic Department, Joe Gerrior - Central Utilities Plant, Debora Miscioni - Building Department, Wayne Murphy - Central Utilities Plant.

* * * * *

The minutes of the meeting held May 28, 1991 were taken as read and approved.

* * * * *

CORRESPONDENCE:

1. Letter dated May 27, 1991 from the Corporation of the City of Cambridge respecting a resolution regarding the Ontario Labour Relations Act Reform.

Referred to the Finance and Administration Comm.

2. Letter dated June 4, 1991 from the City of Toronto respecting a resolution regarding the Provincial Government removing the Oath of Allegiance to the Crown for all police officers in the Province of Ontario.

Referred to the Finance and Administration Comm.

3. Application dated June 6, 1991 from Sirjeet Chima and Mohinder Chima, 125 Bluebell Crescent, Ancaster, Ontario for a modification to the "L-mr'2" (Planned Development - Multiple Residential) District for 203 Rebecca St., Hamilton, Ontario.

Received.

4. Application dated June 11, 1991 from Frank Toth, Tony DiFranco and Angelo Coca, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) to "C" (Urban Protected Residential, etc.) District and "R-4" (Small Lot Single Family Detached) District for properties at Nos. 478 and 488 Rymal Road East, Hamilton, Ontario.

Received.

* * * * *

June 25, 1991

It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into Committee of the Whole to consider the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Information Systems Committee, the Licensing Committee, and the Finance and Administration Committee, with Alderman Lombardo in the chair.

YEAS: Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Jackson, Merling, Gallagher, Murray, Ross. - 16.

NAYS: 0.

CARRIED.

* * * * *

TRANSPORT AND ENVIRONMENT COMMITTEE - NINTH REPORT

Section 25 Removal of Crossing Guards

It was moved by Alderman Agro and seconded by Alderman Gallagher that section 25 of the Ninth Report of the Transport and Environment Committee be amended by deleting sub-section (e) in its entirety and substituting in lieu thereof the following:

(e) That this expenditure be financed from the Contingency Fund.

CARRIED.

* * * * *

Section 27 City Traffic By-law 89-72 - To provide offence and penalty sections for approximately 60 moving regulations

Recorded Vote:

YEAS: Aldermen Cooke, Kiss, McCulloch, Hinkley, Drury, Copps, Wilson, Lombardo, Formosi, Jackson, Merling, Murray, Ross. -13.

NAYS: Alderman Agro, Agostino. -2.

CARRIED.

* * * * *

It was moved by Alderman Merling and seconded by Alderman Murray that Rule No. 8 of the Procedural By-law No. 82-203 be invoked for this meeting of City Council in order to permit the introduction of a Bill respecting Canadian Pacific Train Whistling Prohibition at the grade crossing at Greenhill Avenue. **CARRIED.**

It was moved by Alderman Merling and seconded by Alderman Murray that the following be added as Sub-Section (j) of Section 33 of the Ninth Report of the Transport and Environment Committee

(j) Bill A-48: A By-law to Prohibit Canadian Pacific Limited from Train Whistling at Mileage 51.90 Fort Erie Subdivision. **CARRIED.**

* * * * *

PARKS AND RECREATION COMMITTEE - THIRTEENTH REPORT

Section 5 Permission to sell alcoholic beverages in Mohawk Sports Park Clubhouse - Hamilton Hornets Rugby Football Club Inc.

Recorded Vote:

YEAS: Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Merling, Murray, Ross. -14.

NAYS: Alderman Jackson. -1. **CARRIED.**

* * * * *

Section 6 Permission to sell beer - Brian Timmis Stadium - Hamilton Steelers Soccer Club.

Recorded Vote:

YEAS: Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Merling, Murray, Ross. -14.

NAYS: Alderman Jackson. -1. **CARRIED.**

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Section 7 Permission to sell beer and food - King's Forest Park - Slo-Pitch Tournament

Recorded Vote:

YEAS: Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Merling, Murray, Ross. -14.

NAYS: Alderman Jackson. -1. **CARRIED.**

Section 8 Permission to sell beer - Globe Park - Slo-Pitch Tournament

Recorded Vote:

YEAS: Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Merling, Murray, Ross. -14.

NAYS: Alderman Jackson. -1. **CARRIED.**

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Section 9 Permission to sell beer - Globe Park - Parents Without Partners - Baseball Tournament.

Recorded Vote:

YEAS: Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Merling, Murray, Ross. -14.

NAYS: Alderman Jackson, -1. **CARRIED.**

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June 25, 1991

Section 10 Permission to sell beer - Globe Park - Baseball Tournament - Hamilton-Wentworth Police Association

Recorded Vote:

YEAS: Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Merling, Murray, Ross. -14.

NAYS: Alderman Jackson. -1.

CARRIED.

* * * * *

It was moved by Alderman Murray and seconded by Alderman Ross that Rule No. 8 of Procedural By-law 82-203 be invoked for this meeting of City Council to permit consideration of a resolution regarding an addition to and renovations of the Gage Park Staff Facilities.

CARRIED.

It was moved by Alderman Murray and seconded by Alderman Ross that the following be added to the Thirteenth Report of the Parks and Recreation Committee as Section 21:

21. (a) That a purchase order be issued to Mr. Frank Bufalino & Sons Construction Ltd., St. Catharines, Ontario, in the amount of \$401,250.00 for the addition to and renovations of Gage Park Staff Facilities.

(b) That a contract be entered into satisfactory to the City Solicitor.

CARRIED.

* * * * *

PLANNING AND DEVELOPMENT COMMITTEE - TENTH REPORT

Section 11 Loan to Mr. Don Warrener, The Custom House - 51 Stuart Street

Recorded vote:

YEAS: Aldermen Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Jackson, Merling, Gallagher, Murray, Ross. -14.

NAYS: Aldermen Cooke, Kiss. -2.

CARRIED.

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June 25, 1991

Section 21 (b) ii (i) Housing Intensification Strategy - Residential Conversions

Recorded vote:

YEAS: Aldermen Cooke, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Jackson, Merling, Gallagher, Murray, Ross. -15.

NAYS: Alderman Kiss. -1.

CARRIED.

* * * * *

It was moved by Alderman Merling and seconded by Alderman Murray that Rule No. 8 of Procedural By-law No. 82-203 be invoked for this meeting of City Council in order to introduce a Bill respecting property at Municipal Nos. 829, 837, 845 and 867 Rymal Road East.

CARRIED.

It was moved by Alderman Merling and seconded by Alderman Murray that the following be added to Section 23 of the Tenth Report for 1991 of the Planning and Development Committee:

Bill No. C-49: A By-law to Amend Zoning By-law No. 6593 respecting lands located at Municipal Nos. 829, 837, 845 and 867 Rymal Road East.

CARRIED.

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INFORMATION SYSTEMS COMMITTEE - THIRD REPORT

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CITY OF HAMILTON LICENSING COMMITTEE - SIXTH REPORT

* * * * *

FINANCE & ADMINISTRATION COMMITTEE - TWELFTH REPORT

Section 37 Funding - 1991 Canadian Parking Association 7th Annual Conference

Alderman Hinkley declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Hinkley's wife's firm may be assisting in making arrangements for this Conference.

June 25, 1991

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Section 40 Request to initiate rezoning of property at 1100 Limeridge Rd. E.

Recorded vote:

YEAS: Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Lombardo, Formosi, Jackson, Merling, Gallagher, Murray, Ross. -15.

NAYS: Alderman Agostino. -1. **CARRIED.**

* * * * *

Section 43 Grant - Wesley Urban Ministries

Recorded vote:

YEAS: Aldermen Cooke, Kiss, Agro, Hinkley, Drury, Wilson, Agostino, Formosi, Jackson. -9.

NAYS: Aldermen McCulloch, Copps, Lombardo, Merling, Gallagher, Murray, Ross. -7. **CARRIED.**

* * * * *

Section 50 Resolution - Richmond Hill re: Municipal Government Restructuring

It was moved by Alderman Murray and seconded by Alderman Ross that section 50 of the Twelfth Report of the Finance and Administration Committee be amended by deleting the word "received" in the second sentence of the first paragraph and substituting in lieu thereof the word "endorsed". **CARRIED.**

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FINANCE & ADMINISTRATION COMMITTEE - THIRTEENTH REPORT

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that Alderman J. Gallagher be appointed Acting Mayor for the month of July, 1991. **CARRIED.**

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Information Systems Committee, the Licensing Committee, the Finance and Administration Committee and resolutions be adopted.

YEAS: Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Jackson, Merling, Gallagher, Murray, Ross. -16.

NAYS: -0. **CARRIED.**

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It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills be now read a first time:

A-39, A-40, A-41, A-42, A-43, A-44, A-45, A-46, A-47, A-48.
C-45, C-46, C-47, C-48, C-49.
H-31, H-32.

YEAS: Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Jackson, Merling, Gallagher, Murray, Ross. -16.

NAYS: 0. **CARRIED.**

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into Committee of the Whole to consider the following Bills, with Alderman Lombardo in the chair. (second reading)

A-39, A-40, A-41, A-42, A-43, A-44, A-45, A-46, A-47, A-48.
C-45, C-46, C-47, C-48, C-49.
H-31, H-32.

YEAS: Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Jackson, Merling, Gallagher, Murray, Ross. -16.

NAYS: 0. **CARRIED.**

June 25, 1991

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Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the following Bills, be adopted. -

A-39, A-40, A-41, A-42, A-43, A-44, A-45, A-46, A-47, A-48.
C-45, C-46, C-47, C-48, C-49.
H-31, H-32.

YEAS: Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Jackson, Merling, Gallagher, Murray, Ross. - 16.

NAYS: 0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-39, A-40, A-41, A-42, A-43, A-44, A-45, A-46, A-47, A-48.
C-45, C-46, C-47, C-48, C-49.
H-31, H-32.

YEAS: Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Jackson, Merling, Gallagher, Murray, Ross. - 16.

NAYS: 0.

CARRIED.

* * * * *

City Council then adjourned at 9:35 o'clock p.m.

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CORRESPONDENCE

1. Letter dated July 17, 1991 from the Regional Municipality of Hamilton-Wentworth
Re: Placing of a question respecting Sunday Shopping on the ballot in the 1991 Municipal Election.

Recommendation: **Be Referred to the Finance and Administration Committee.**

2. Resolution dated June 25, 1991 from the City of Kitchener respecting proposed amendments to the Ontario Labour Relations Act.

Recommendation: **Be Referred to the Finance and Administration Committee.**

3. Resolution dated June 26, 1991 from the City of Toronto respecting "Zero Discharge Statement of Principles".

Recommendation: **Be Referred to the Region Municipality of Hamilton-Wentworth.**

4. Resolution dated June 28, 1991 from the Regional Municipality of Waterloo respecting the Development Charges Act.

Recommendation: **Be Referred to the Finance and Administration Committee.**

5. Resolution dated June 20, 1991 from the City of Oshawa regarding financial support for the continuation of the Rolling Thunder Theatre Group.

Recommendation: **Be Referred to the Finance and Administration Committee.**

6. Resolution dated June 21, 1991 from the City of Niagara Falls regarding Licensed Lottery Operations.

Recommendation: **Be Referred to the Finance and Administration Committee.**

7. Resolution dated July 17, 1991 from the City of Nepean pertaining to the calling of a Royal Commission of Inquiry into the circumstances surrounding the Air India tragedy.

Recommendation: **Be Referred to the Finance and Administration Committee.**

8. Letter dated July 9, 1991 from Alderman M. Kiss and petition dated July 4, 1991 opposing the construction of a parking lot at Churchill Park (previously distributed).

Recommendation: **Be Received.**

9. Petition dated July 24, 1991 from "The Business People of James Street North respecting the Jamesville B.I.A. (previously distributed).

Recommendation: **Be Referred to the Planning and Development Committee.**

10. Letter dated July 11, 1991 from J. Henderson Nurre, Chairman, Cari-Can Festival respecting the decision not to fund the 1991 Canadian Caribbean Festival of Hamilton Committee. (previously distributed).

Recommendation: **Be Received.**

11. Application dated June 24, 1991 from Tyka Investment Limited, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "RT-30" (Street-Townhouse) District and "C" (Urban Protected Residential etc.) District for 1158 Upper Wentworth Street, Hamilton, Ontario.

Recommendation: **Be Received.**

12. Application dated June 27, 1991 from Henry A. Hader, Hamilton, Ontario for a modification to the "C" (Urban Protected Residential, etc.) District for 161 Delaware Avenue, Hamilton, Ontario.

Recommendation: **Be Received.**

13. Application dated June 28, 1991 from Hamcon Co-operative Housing Services, Hamilton, Ontario for a change in zoning from "H" (Community Shopping and Commercial, etc.) District to "CR-2" (Commercial-Residential) District for 145 MacNab Street North, Hamilton, Ontario.

Recommendation: Be Received.

14. Application dated June 28, 1991 from Catherine Marie Healey (Healey Hair Design), Hamilton, Ontario for a modification to the "C" (Urban Protected Residential, etc.) District for 126 Lilacside Drive, Hamilton, Ontario.

Recommendation: Be Received.

15. Application dated July 8, 1991 from James and Mary Mikles, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for 1062 and 1088 Upper Paradise Road, Hamilton, Ontario.

Recommendation: Be Received.

16. Application dated July 8, 1991 from Christopher Pies Inc., Hamilton, Ontario for a change in zoning from "C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial, etc.) District for 27 Rymal Road West, Hamilton, Ontario.

Recommendation: Be Received.

17. Application dated July 19, 1991 from the Hamilton Region Conservation Authority for a modification to the "AA" (Agricultural) District regulations for land municipally known as No. 100 Confederation Drive, Hamilton, Ontario.

Recommendation: Be Received.

18. Letter dated June 28, 1991 from Mr. K. E. Avery, City Clerk respecting an objection to By-law No. 91-99 respecting 172 Sanford Avenue South.

Recommendation: No Action.

19. Letter dated June 28, 1991 from Mr. K. E. Avery, City Clerk respecting an objection to By-law No. 91-101 respecting property at 126, 128, 130, 132, 134 and 136 Young Street.

Recommendation: No Action.



20. Letter dated June 28, 1991 from Mr. K. E. Avery, City Clerk respecting an objection to By-law No. 91-104 respecting property at 70 West Avenue South.

Recommendation:

No Action.



THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

Office of the Clerk
119 King Street West, 15th floor
Hamilton, Ontario

Tel. (416) 546-4154
Fax (416) 546-2546

RECEIVED

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35:
10
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July 17, 1991

Refer to File No.

Attention of

Your file No.

Mr. Keith Avery, Clerk
City of Hamilton
City Hall
71 Main Street West
Hamilton, Ontario
L8P 1H4

Dear Mr. Avery:

Regional Council at its meeting held Tuesday, July 16, 1991, approved Item 3 of the Legislation and Reception Committee Report 6-91, as follows:

- a) That the question of Sunday Shopping, to be placed on the 1991 Municipal Election Ballots, be as follows:

"Are you in favour of Sunday and Holiday Shopping?"

Yes _____ No _____

- b) That the Province of Ontario be requested to ask all Ontario Municipalities to endorse a similar question on their respective ballots in 1991.

Yours truly,

Mary Gallagher
K. Pidsadny for
Legislative Co-ordinator

KP/ka

c.c. Mr. Eric Adams, President - Adams Warehouse Burlington Ltd.

RECEIVED

JUN 27 1991

CITY CLERKS

City of K
EX INDUSTRIA

2.

R.W. PRITCHARD, A.M.C.T., C.M.C.
COMMISSIONER OF GENERAL SERVICES
AND CITY CLERK

City Hall, P.O. Box 1118
22 Frederick Street
Kitchener, Ontario
Canada, N2G 4G7
(519) 741-2280

June 25, 1991

**Ontario Municipalities with
Population of 50,000 or more**

Dear Sir/Madam:

This is to inform you that the Council of the Corporation of the City of Kitchener at its regular meeting held on Monday, June 24, 1991 passed the following resolution, namely:

"WHEREAS the Ontario Government has received the report of the Labour Relations Act Reform Committee, and,

WHEREAS the Labour Relations Reform Committee report includes a number of recommendations to amend the Labour Relations Act, and,

WHEREAS the proposed changes to the Labour Relations Act have potentially far reaching effects on Union/Management relationships including those in the municipal public sector, and,

WHEREAS the proposed Employee Wage Protection Program under the Employment Standards Act has the potential of further eroding the ability of employees to compete in the marketplace,

THEREFORE BE IT RESOLVED that the City of Kitchener hereby requests the Province of Ontario to undertake a broad consultation process with all potentially affected parties prior to the introduction of any legislation to amend the Ontario Labour Relations Act and to implement the Employee Wage Protection Program, and further,

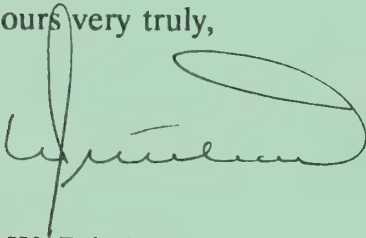
June 25, 1991

2

That Council hereby directs that a copy of this resolution be circulated to all municipalities in the Province of Ontario with a population of 50,000 or more, to the Premier of the Province, the Minister of Labour, Mr. W.A. Ferguson, M.P.P., Mr. Mike Cooper, M.P.P. and to the Association of Municipalities of Ontario."

Please present the above resolution to your Council and inform me of the action taken at that time.

Yours very truly,

A handwritten signature in dark ink, appearing to read 'R. W. Pritchard', with a large, stylized loop at the end.

R.W. Pritchard
Commissioner of General Services &
City Clerk

:pm



City of Toronto

Department of the City Clerk
City Hall
Toronto, Ontario
Canada M5H 2N2

Telephone: (416) 392-7020
Fax: (416) 392-6990
TDD: (416) 392-7354

RE

3.

Barbara G. Caplan
City Clerk
Sydney K. Baxter
Deputy City Clerk

CITY CLERKS

Reply to: Marbeth Greer, 392-7025

Please refer to: 91hlth 7-9

June 26, 1991

At its meeting held on June 17 and 18, 1991, City Council gave consideration to the attached Clause 9, contained in Report No. 7 of the Board of Health, entitled "Zero Discharge Statement of Principles".

In addition to endorsing the resolution contained in the Clause, Council also requested that:

1. the report requested of the Committee of Heads be submitted to the Board of Health and the City Services Committee for submission to the second meeting of the new Council;
2. the Commissioner of Public Works and the Environment provide an updated report, at his convenience, on the conclusion of the Eastern beaches project and the second detention tank facility;
3. the Medical Officer of Health report to the Board of Health on the cost of the proposed Hazardous Waste Minimization Program; and


June 26, 1991

4. Council's action be forwarded to the A.M.O., F.C.M., and municipalities in Ontario with a population over 50,000.

Yours truly,



City Clerk

 mh
MG

Encl.

Mr. James W. Knight, Executive Director, Federation of Canadian
Municipalities, 24 Clarence Street, 2nd Floor, Ottawa, K1W 5P3
Ms. Kathleen Hunter, Executive Director, Association of Municipalities
of Ontario, 100 University Avenue, Suite 805, Toronto, M5J 1V6
Municipal Clerks of Ontario
Mr. Art Stevenson, Chair, Committee of Heads
Commissioner of Public Works and the Environment

c.c. All Interested Persons

CITY OF TORONTO
DEPARTMENT OF THE
CITY CLERK

CLAUSE EMBODIED IN REPORT NO. 7 OF THE
BOARD OF HEALTH WHICH WAS AMENDED
ADOPTED BY CITY COUNCIL AT ITS MEETING
HELD ON JUNE 17 AND 18, 1991

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9

ZERO DISCHARGE STATEMENT OF PRINCIPLES

The Board of Health endorses the Zero Discharge Resolution and requests Council's endorsement of same:

Whereas, the Great Lakes ecosystem is one of the most important natural resources in North America, supporting a diverse range of life and providing drinking water for 25 million human inhabitants, including the residents of Toronto; and

Whereas, the Great Lakes ecosystem is being poisoned by persistent toxic chemicals that enter the food chain and bioaccumulate in living tissues and, even in very small amounts, can cause birth defects, reproductive failure, immunological disorders, learning and behavioural disorders, cancer, genetic mutations and other health problems; and

Whereas, current regulations fail to protect the environment and human health because they are based on limiting exposure by managing or controlling pollution after it is generated, rather than completely eliminating exposure by preventing the production and use of persistent toxic chemicals in the first place; and

Whereas, the 1978 Great Lakes Water Quality Agreement, signed by Canada and the United States, calls for virtual elimination of persistent toxic substances and endorses zero discharge as the only long-term regulatory strategy for solving the problem of persistent toxic pollution;

Therefore, be it resolved, that City Council endorse the Zero Discharge Statement of Principles, which reads as follows:

Zero Discharge means ending the use, the production and, thus, the disposal of persistent and/or bioaccumulative toxic substances. Organizations and individuals around the Great Lakes/St. Lawrence River Basin have agreed to work together to promote and implement the goal of Zero Discharge as defined in this Statement of Principles. We will do so through campaigns to reformulate industrial processes, to ban the use and/or production of persistent toxic substances and to change regulatory systems.

In 1978, Canada and the United States signed the Great Lakes Water Quality Agreement to protect the Great Lakes/St. Lawrence River Basin. This agreement calls on both societies to virtually eliminate the input of persistent toxic substances into the Great Lakes ecosystem. It goes on to say: "The philosophy adopted for control of inputs of persistent toxic substances shall be zero discharge."

Until recently, both societies have viewed the concept of Zero Discharge as more rhetorical than real. Now, pushed by the strength of the environmental movement of the Great Lakes Basin and by a growing public demand for pollution prevention and toxics use reduction, the

International Joint Commission is beginning public discussion on real steps to achieve the Zero Discharge goal. Responsibility shifts back to the environmental community to create the popular will to move this important process forward.

For us "zero" means zero. Pollution must be prevented before it is generated. Production processes (including agriculture) must be reformulated so that these toxic substances are not used, produced or discharged. "Zero" does not mean reducing discharges beneath some arbitrary level or beneath the level of detection. Zero means none.

The use of the term "discharge" is not limited to a single environmental medium. It applies to all toxic discharges into water, air, landfill, product, etc. Nor can persistent toxics be eliminated by shifting them from one medium to another or by attempting to recycle them after they have been produced.

The Zero Discharge goal applies to more than a small list of the most notorious toxic substances. Unless strong contrary evidence is presented, it applies in all cases where there is good reason to believe the substance itself is a persistent and/or bioaccumulative toxin or when persistent toxins are generated during its production use or disposal.

In our view, at stake is the future health and survivability of wildlife, humans and other life in the ecosystem.

Be it further resolved, that City Council endeavour to implement zero discharge in all of its programs and services impacting on the environment.

The Board of Health has taken the following further action:

- (a) *Referred the Zero Discharge Resolution to the Committee of Heads with the request that the Committee of Heads provide to the Board of Health Environmental Subcommittee a status report on implementation strategies; and that the Environmental Subcommittee report back to the Board of Health and the City Services Committee.*

The Board of Health noted that the Zero Discharge Statement of Principles is consistent with Recommendation 1 in the report (September, 1990) from the Medical Officer of Health, and entitled "The Quality of Drinking Water in Toronto" which was adopted by Council on December 3 and 4, 1990.

- (b) *Requested the Medical Officer of Health to report to the Board of Health on the findings of the study undertaken by Senes Consultants Limited for the Municipality of Metropolitan Toronto on "Waste Incinerator Study".*

The following persons addressed the Board of Health:

- *Jay Palter, Greenpeace, 185 Spadina Avenue, Toronto, M5T 2C5;*
- *Paul Muldoon, Pollution Probe, 12 Madison Avenue, Toronto, M5R 2S1;*
- *Sarah Miller, Canadian Environmental Law Association, 517 College Street, Suite 401, Toronto, M6G 4A2;*
- *Carolyn Black, Pesticide Action League;*
- *Jim Harris;*
- *Aine Suttle, Citizens for a Safe Environment, 765 Queen Street, Toronto, M4M 1H3;*
- *Dalton Shipway, Don River Task Force;*

- *Ed Fortune, Public Advisory Committee for Remedial Action Plan, 1071 Gerrard Street E., Toronto, M4M 1Z9;*
- *Z. Uznanski*

The Board of Health submits the communication (May 6, 1991) from Jay Palter, Greenpeace:

On behalf of thousands of people in the City of Toronto and millions of others residing in the Great Lakes Basin, I am willing to request the Board of Health give consideration and endorsement to the Zero Discharge Statement of Principles.

Zero discharge is a pollution prevention strategy for stopping the production, use and disposal of persistent toxic chemicals. Only by implementing a zero discharge strategy is it possible to eliminate human and wildlife exposure to persistent toxic chemicals.

Today marks the beginning of Great Lakes/Zero Discharge Action Week for dozens of communities in Canada and the United States. Many environmental groups are endorsing the Zero Discharge Statement of Principles, a formal call for the elimination of persistent toxic chemicals which has support from over 100 organizations.

Support for the Zero Discharge Statement of Principles by the Board of Health and Toronto City Council is an important step toward protecting the Great Lakes, the sole source of drinking water for the City. The City of Toronto should consider taking the following steps to implement Zero Discharge:

- Establish a procurement policy for recycled and chlorine-free, unbleached paper products;
- Establish a strategy for eliminating industrial discharges to sewers of persistent toxic substances;
- Eliminate all use, both municipally and commercially, of persistent toxic biocides.

Attached, you will find a resolution for endorsement of the Zero Discharge Statement of Principles by City Council and a current list of supporting groups.

Thank you for your prompt consideration of this request.

(Zero Discharge Resolution for endorsement by Toronto City Council)

Whereas, the Great Lakes ecosystem is one of the most important natural resources in North America, supporting a diverse range of life and providing drinking water for 25 million human inhabitants, including the residents of Toronto; and

Whereas, the Great Lakes ecosystem is being poisoned by persistent toxic chemicals that enter the food chain and bioaccumulate in living tissues and, even in very small amounts, can cause birth defects, reproductive failure, immunological disorders, learning and behavioural disorders, cancer, genetic mutations and other health problems; and

Whereas, current regulations fail to protect the environment and human health because they are based on limiting exposure by managing or controlling pollution after it is generated, rather than completely eliminating exposure by preventing the production and use of persistent toxic chemicals in the first place; and

Whereas, the 1978 Great Lakes Water Quality Agreement, signed by Canada and the United States, calls for virtual elimination of persistent toxic substances and endorses zero discharge as the only long-term regulatory strategy for solving the problem of persistent toxic pollution.

Therefore be it resolved, that the Toronto City Council endorse the Zero Discharge Statement of Principles, which reads as follows:

Zero Discharge means ending the use, the production and, thus, the disposal of persistent and/or bioaccumulative toxic substances. Organizations and individuals around the Great Lakes/St. Lawrence River Basin have agreed to

work together to promote and implement the goal of Zero Discharge as defined in this Statement of Principles. We will do so through campaigns to reformulate industrial processes, to ban the use and/or production of persistent toxic substances and to change regulatory systems.

In 1978, Canada and the United States signed the Great Lakes Water Quality Agreement to protect the Great Lakes/St. Lawrence River Basin. This agreement calls on both societies to virtually eliminate the input of persistent toxic substances into the Great Lakes ecosystem. It goes on to say: "The philosophy adopted for control of inputs of persistent toxic substances shall be zero discharge."

Until recently, both societies have viewed the concept of Zero Discharge as more rhetorical than real. Now, pushed by the strength of the environmental movement of the Great Lakes Basin and by a growing public demand for pollution prevention and toxics use reduction, the International Joint Commission is beginning public discussion on real steps to achieve the Zero Discharge goal. Responsibility shifts back to the environmental community to create the popular will to move this important process forward.

For us "zero" means zero. Pollution must be prevented before it is generated. Production processes (including agriculture) must be reformulated so that these toxic substances are not used, produced or discharged. "Zero" does not mean reducing discharges beneath some arbitrary level or beneath the level of detection. Zero means none.

The use of the term "discharge" is not limited to a single environmental medium. It applies to all toxic discharges into water, air, landfill, product, etc. Nor can persistent toxics be eliminated by shifting them from one medium to another or by attempting to recycle them after they have been produced.

The Zero Discharge goal applies to more than a small list of the most notorious toxic substances. Unless strong contrary evidence is presented, it applies in all cases where there is good reason to believe the substance itself is a persistent and/or bioaccumulative toxin or when persistent toxins are generated during its production use or disposal.

In our view, at stake is the future health and survivability of wildlife, humans and other life in the ecosystem.

Be it further resolved, that the City of Toronto will endeavour to implement zero discharge in all of its programs and services impacting on the environment.

(Common Questions About Zero Discharge)

What is zero discharge?

Zero discharge means a complete end to the production and use of persistent toxic substances.

What are persistent toxic substances?

Persistent toxics are poisons that are biologically active in small quantities and do not easily break down in the environment. Many of them accumulate in the fatty tissues of living things, becoming more concentrated as they work their way up the food chain. Any time that these poisons are produced, used or disposed, some amount enters the environment. One major category of persistent toxics are the organochlorines - chemicals produced when chlorine reacts with organic matter. Examples of these are DDT, PCB's, furans, and the most toxic substance known, dioxin. For the most part, organochlorines are synthetic chemicals that do not occur naturally.

Is it possible to ban persistent toxics?

Maybe it's best if we first look at the alternatives.

We could continue the way we have. Chemicals in the Great Lakes are known to be linked with reproductive failure, birth defects, cancers, behaviour disorders, immune deficiencies and other health problems in wildlife. Toxics are also already affecting humans. New chemicals are being tested and brought into the market faster than their full consequences can be tested. So clearly something needs to be done.

The government regulations used to control toxics have failed. Today over 70,000 chemicals are in use, but less than 1 percent are regulated. The pulp-making process at paper mills creates toxics for which there aren't even names yet.

When dealing with persistent toxics, even the regulations that exist don't work because they falsely assume that the environment can assimilate these poisons in small quantities.

Levels of toxics in the Great Lakes have grown during the period of regulatory control, not declined. The conclusion we draw from this is that trying to regulate is a failure.

That leaves banning for which there is good precedent. DDT use has been banned, and in the U.S., most uses of leaded gasoline are prohibited. In both cases, levels of these poisons in the environment have declined.

But is Zero Discharge really practical?

We cannot ban everything at once, but there are places we can begin. Take chlorine, for example. Chlorine is used in the paper-making process to make paper white. Mixing this chemical with wood pulp forms organochlorines. Dioxin and furans are two examples. But many paper products have no reason to be white - diapers, coffee filters, packaging materials and most writing paper. Where there is good reason to bleach a paper product white, alternatives to chlorine bleaching exist. So this is one toxics source we can eliminate right away.

We can also make Lake Superior a priority. Because of its more remote location, Lake Superior is still relatively pristine. But toxics show up there too. In particular, organochlorine discharges from the paper industry are the lake's biggest direct toxic discharge source. We need a commitment from the U.S. and Canadian governments to make Lake Superior a zero discharge zone as a first step toward achieving a zero discharge policy for the entire Great Lakes ecosystem.

What kind of support do you have?

During the Great Lakes/Zero Discharge Action Week in March, groups across the Great Lakes conducted actions to publicize the goals of zero discharge. There were activities in xx locations. Locally, xx (organizations, legislators, local leaders) support us. There are other positive signs. The International Joint Commission is a binational advisory body on the Great Lakes. In 1990 they recommended that the U.S. and Canada make zero discharge a priority in Lake Superior and they called for a binational strategy for making zero discharge a reality as soon as possible. In September, the IJC will meet in Traverse City, Michigan. We expect U.S. EPA head Reilly, the Canadian Environment Minister, DeCotret as well as state and provincial environment agency heads to be present. These are the agencies responsible and citizens will mobilize to press for action.

Tell me some more about the health effects of toxics in the Great Lakes?

Sixteen Great Lakes wildlife species near the top of the food chain have had reproductive problems or declines in population since 1950. In each case, high concentrations of contaminants have been found in animal tissue. State fish advisories in all of the lakes strongly encourage residents to limit fish consumption because of the dangers contaminants pose to human health. Hundreds of contaminants, including PCB's, dioxins and furans are already present in the tissues and breastmilk of the general population. Developing fetuses are particularly at risk because their bodies can accumulate pollutants at concentrations even greater than those in their mother's bodies.

Have specific problems shown up in humans?

One study showed that mothers who ate Great Lakes fish three times a month bore children who weighed less than average and had smaller than average heads. Subsequent studies found the children grew more slowly and had lower IQs than a control group.

But it's important that people realize that if we wait until problems in humans are obvious, then we have waited too long. The problems in wildlife should serve as an early warning system. The evidence shows we better start moving now.

The Zero Discharge Strategy

There are two strategies society has tried that attempt to deal with the serious problem of persistent toxic inputs into the environment: the regulation strategy and the zero discharge strategy. Only the zero discharge strategy works.

When society decides to actually stop the use and/or the production of a toxic substance, the impact of this poison on our environment decreases. Barry Commoner, in his book: "Making Peace With The Planet," gives some examples:

- After the United States banned many uses of leaded gasoline, airborne lead concentration at national test sights decreased by 92 percent and lead levels in children's blood went down significantly.
- After PCBs were banned, PCB body burdens in fresh water fish decreased by 56 percent and in starlings by 86 percent. The number of humans with relatively high PCB levels in their fatty tissue decreased by 75 percent.
- After DDT use was banned, the average DDT content of brown pelicans in South Caroline decreased by 77 percent and the number of fledglings more than tripled.

The zero discharge strategy means that society bans the use or production of persistent toxic substances. Governments in the U.S. and Canada, however, actively promote another strategy, the regulation strategy. The government gives the polluter a permit that limits the amount of poison it can legally put into the environment and sets up an agency charged with enforcement.

This strategy assumes that the environment has the capacity to "assimilate" toxics and clean itself up. It is based on the view that dilution is a solution to pollution. This assumption is false for those toxic substances that persist in the environment and/or bio-accumulate. When we put even small amounts of these substances into the environment, they do not dilute and go away. They concentrate in living tissues and work their way up the food chain.

Many persistent toxics do not occur naturally and have powerful biological effects even in very small amounts. Most of these substances have been produced in quantity only since World War II. Now, humans and other living things carry these toxic substances in their body tissues causing cancers and serious problems with reproduction, birth defects, immune systems, and behaviour. This problem will continue and grow until we stop producing and using persistent toxics.

When persistent toxics are produced, used or disposed in or near the Great Lakes Basin, they find their way into the water. Because these bodies of water are so large, toxics will stay in the system for hundreds of years. Even after society moves to ban the use and production of toxic substances, they will still remain active and toxic in the Great Lakes for several generations. Recovery will be slow. The longer we delay, the worse the problem and the longer and more severe the suffering the peoples of the Great Lakes/St. Lawrence Basin will endure.

The zero discharge strategy means that for persistent and/or bio-accumulative toxics - all processes that use or produce these substances must be banned and alternative, clean production techniques developed. A system of permits may still be needed in implementing a zero discharge strategy, but the function of the permit changes. Today, the permit issued by government grants the polluter a right to put persistent toxic substances into the environment. Instead, we need to institute a system of "sunset permits" that establish a time table within which society phases out the polluting process.

The permit establishes a sunset date - the date after which a particular production process can no longer produce or use persistent toxic substances. It also establishes dates and goals for intermediate steps along the way to total phaseout.

The zero discharge strategy has been talked about in the Great Lakes Basin for many years - but little progress has been made towards actually implementing this approach. The zero discharge Alliance is an effort by organizations and grass roots activists to build support for the zero discharge strategy within Canadian and U.S. societies.

(Press Release entitled "No Time to Waste" from Greenpeace USA Great Lakes Regional Office)

As one of the forty million custodians of the Great Lakes/St. Lawrence River Basin, you are probably well aware of how your right to clean air and clean water has been eroded. Extremely persistent and bioaccumulative toxic chemicals are building up in the ecosystem and in the bodies of wildlife and humans. These chemicals are foreign to nature - they are foreign to life itself. Consequently, they are not only reducing our ability to reproduce, they are also affecting the physical health and mental functioning of our offspring.

Our reproductive systems are being impacted on a daily basis by toxic pollution. Hundreds of contaminants, including PCBs, dioxins, and furans have been found in the tissues and breastmilk of the general population. Women's awareness of toxic body burden is particularly important because of the transfer of pollutants across the placenta to the developing fetus and through breast milk to the developing child. Newborn infants may accumulate pollutants in their bodies at concentrations even greater than those in their mothers' bodies, despite never having any direct exposures except through the mother. Infants are extraordinarily sensitive to the effects of these chemicals, both before and in the months after birth.

The possible impacts of these chemicals are sobering. Chemical exposure can cause spontaneous abortion, induce physical birth defects, or result in premature birth, decreased birth weight, and decreased skull size at birth. Further, some of the chemicals to which fetuses are exposed in utero can cause subtle, and possibly permanent impairment in the developing nervous system, resulting in deficits in mental, intellectual, and behavioural functioning. For example, human children and rhesus monkeys exposed to extraordinarily low doses of PCBs and dioxins in utero have shown impaired performance on learning, memory, and other cognitive tasks at several years of age; doses in these tests were on the same order as the amounts to which women and children are routinely exposed. Dioxin-exposed rhesus monkeys showed behavioural abnormalities as well, including altered relationships with their mothers and increased aggression in peer groups.

Exposure to toxics takes place through a number of avenues including inhalation, drinking water, and eating contaminated food. For the most dangerous chemicals (the dioxins and PCBs and chlorinated pesticides, for instance), the highest doses (more than 90 percent of total exposures) occur through the food chain. Meat, fish, eggs and dairy products carry the highest concentrations of these chemicals, but fruit and vegetables carry a range of industrial pollutants as well. The highest exposures to these bioaccumulative chemicals comes through animal products (meat, fish, milk, eggs, etc.) because these pollutants tend to be far more soluble in fat than in water, resulting in higher and higher concentrations as they move up the food chain. Accordingly, these chemicals accumulate in human tissues once ingested.

Exposure can also occur through contact with consumer products that contain toxics. For example, disposable diapers and women's sanitary products - like most other types of paper products, including writing paper, toilet tissue, coffee filters, and milk cartons - are bleached with chlorine to make them white. Hundreds of toxic organochlorine chemicals (including dioxins) are produced during the chlorine bleaching process and are released to the environment or concentrated in the product. Contaminants in chlorine bleached products such as coffee filters and milk cartons have been found to migrate into the food product. "Sanitary" products come into intimate contact with women's bodies and diaper's with children's bodies.

A Call To Action

Routine exposure to toxic pollution does not have to be a way of life. Citizens are standing up for their rights to have clean air, water, and land. Citizens also have the right not to be poisoned by the products they use.

Chlorine bleaching of pulp and paper is one example of a needless process that is causing harm to the environment and human health. Alternatives to this bleaching process are readily available and already in use in other countries.

What You Can Do?

- Reduce your use of paper products and disposables.
- Write or phone public officials, let them know what you think. Demand the implementation of procurement policies that give a price preference to chlorine free or unbleached paper products for use in state and local public agencies. Demand comprehensive recycling programs for your community.
- Write producers of harmful products and poisonous discharge. Tell them you want a safe environment and safe products, like chlorine free paper and sanitary products.
- Join a local environmental group; participate in the Zero Discharge Alliance.
- Write or call Beth Fitzgerald or Joan D'Argo for more information

Greenpeace, 1017 W. Jackson, Chicago, IL, 60607 (312) 666-3305

The Board of Health also submits the communication (May 29, 1991) from Mr. Jay Palter, Greenpeace Great Lakes Campaign:

I appear before you today on behalf of a Great Lakes basin-wide campaign for Zero Discharge. This campaign has grown to well over 100 groups who have formed an alliance around a common platform: the Zero Discharge Statement of Principles. Throughout the Great Lakes basin, Zero Discharge advocates are seeking endorsements from environmental and community groups, professional associations, politicians, local governments and boards of health, like this one. The goal is to persuade all levels of government of the necessity and effectiveness of the Zero Discharge strategy for protecting the Great Lakes ecosystem.

In the next few minutes I will explain what Zero Discharge means and why it is necessary for preserving the integrity of the Great Lakes basin ecosystem. I will also present ideas for implementing the Zero Discharge strategy at a municipal level.

What is Zero Discharge?

Zero Discharge is many things at once: it is a principle for making environmental decisions; it is a goal to strive for; and, most importantly and least understood, it is an operative regulatory strategy for protecting the environment.

As a general principle, Zero Discharge suggests that we should strive to be waste-free and efficient in our use of natural resources such as water. We should strive to prevent the generation of pollution and waste, rather than dispose of it in the environment hoping it will dilute and assimilate. We should reverse the onus and assume chemical discharges to the environment will cause harm until they can be proven to be safe.

The term "zero discharge" first appeared in Annex 12 of the 1978 Canada-U.S. Great Lakes Water Quality Agreement as "the philosophy adopted for the control of persistent toxic substances".

Thus, Zero Discharge has a much more specific meaning in relation to persistent toxic chemicals. Unlike conventional pollutants such as phosphates and fecal bacteria, persistent toxic chemicals do not break down readily in the environment. Rather, they persist and accumulate in living organisms through the food chain. Studies have revealed that as much as 90 percent of human exposure to persistent toxic chemicals comes from the food we ingest.

Evidence on the damaging effects of persistent toxic chemical accumulations in wildlife and human populations has itself been accumulating for more than 25 years.

Eight scientific reports released during the last 6 years, including a March 1991 report issued by the Canadian government, have all concluded that persistent toxic chemicals are impairing the health of Great Lakes fish, reptiles, birds and mammals.

The six most recent reports have concluded that the probability of harm from exposure to persistent toxic chemicals is greater for the offspring of exposed individuals than for the exposed individuals themselves. In other words, we are now jeopardizing the viability of future generations through in-utero exposure and potentially irreversible reproductive damage.

Why Zero Discharge and Not "Less"?

Zero Discharge is a strategic response to chemical contamination that has become "ecosystemic". Once these persistent toxic chemicals are discharged into the ecosystem, preventing exposure to them is virtually impossible. The only way to effectively prevent exposure is to eliminate their production, use and disposal.

To allow the input of "less" persistent toxic chemicals to the ecosystem is merely to slow down the rate at which they are building up in living organisms and to forestall their devastating effects.

This is the fundamental point for the Zero Discharge movement. Thus, the Statement of Principles asserts that zero means zero, it does not mean "less". It defines "discharge" as inputs of persistent toxic chemicals to all environmental media - air, soil, water and products. And finally, the Zero Discharge applies not only to an arbitrary list of well known toxic chemicals, but to all persistent and/or bioaccumulative toxic chemicals precisely because they are persistent and bioaccumulative.

Conclusion and Recommendations:

In conclusion, we urge the Board of Health for the City of Toronto to join the campaign for Zero Discharge by endorsing the Zero Discharge Statement of Principles and recommending the City Council do so as well.

Further, we urge the City of Toronto to develop a strategy for implementing Zero Discharge at the municipal level, taking into consideration the following actions:

- Eliminating discharges of persistent toxic chemicals into the sewer system by developing a toxics use reduction or pollution prevention program for small industries;
- Eliminating all biocide (pesticides, herbicides, etc.) use in public parks and school grounds and developing a strategy for phasing out commercial sale and use of biocides containing persistent toxic chemicals;
- Developing a procurement policy for the city that encourages the purchase of chlorine-free paper products and discourages the current use of white, chlorine-bleached paper products, the production of which results in discharges of well over 100 million kilograms of persistent toxic chemical pollution into the Great Lakes every year.

Thank you for the opportunity to speak on this important issue today. Now, I would be happy to answer any questions on Zero Discharge.

(Attached paper written by noted ecologist Jack Vallentyne which provides a more detailed argument for phasing out entire classes of persistent toxic chemicals such as organohalogenes is on file in the City Clerk's Department.)

The Board of Health also submits the communication (May 29, 1991) from Ms. Sarah Miller, Coordinator, Canadian Environmental Law Association:

The Canadian Environmental Law Association (CELA) has been part of the campaign for zero discharge in the Great Lakes. CELA is committed to the goal of seeing that zero discharge commitments made by the provincial and federal governments when they signed The Great Lakes Water Quality Agreement of 1978, are put into government programs and regulations. Such programs are long overdue. We urge the City of Toronto to join the growing number of agencies and groups developing zero discharge strategies. By doing so, the City could aid in reforming of the provincial Municipal Industrial Strategy for Abatement (MISA), the provincial regulatory program for water discharges which is seriously behind schedule and may not accomplish its stated goal of zero discharge.

Despite the long-standing federal and provincial government commitments to zero discharge in practice, we are still using our lakes and rivers to dilute toxic discharges. The provincial MISA program, the first Ontario pollution control regulation, has been under development for the last five years but has only resulted in monitoring regulations for the eight sectors it is regulating. MISA has not yet resulted in limiting any discharges to Ontario waters. The second phase of the MISA program will result in pollution control regulations based on best available technology economically feasible. CELA feels that these limited end of the pipe controls are inadequate and that end of the pipe controls may be 20 years out-of-date.

The United States Environmental Protection Agency (EPA) has just undertaken a review of their 20 year old Clean Water Act, which was based on best available technology controls. This review concluded that end of the pipe discharge controls for persistent toxics have failed to protect the health of fish, wildlife and at-risk human populations. As a result the U.S. is shifting its regulatory system for toxics from a pollution control focus to pollution prevention. The new pollution prevention initiative will be carried out first in the Great Lakes and will have reduction targets and timetables for persistent toxic chemicals. There is a lot of expertise and information on successful techniques for toxic use reduction and the City of Toronto is particularly well-suited to carry out these programs because of the institutional foundations Toronto already has in the Environmental Protection Office, the Healthy City Office and in the new environmental section of the City's Public Works Department. The municipal jurisdiction over discharges to City sewers give your works department the opportunity to include all persistent toxics in your sewer use by-laws and to work with industries to eliminate those discharges. The State of Massachusetts, which has laws prohibiting the disposal of all hazardous waste in the state, has developed a good toxic-use reduction program which would serve as a good model for Toronto. I have enclosed materials on this program. If Toronto were to take a leadership role in the province in advancing zero discharge in the sewer sector they could influence and speed-up the provinces MISA program which is leaving the sewer sector to last even though discharges from Ontario sewers account for over 80% of industrial pollution in water. If the MISA program maintains its current schedule, it will probably not begin to reduce toxic loadings significantly for at least ten years.

Zero discharge industries are possible. Encouraging these industries in our cities results in healthier workplaces, better neighbourhoods and healthier environment. The City has already begun to plan an environmentally friendly industrial area in the eastern port lands. Work now on a zero discharge initiative will enhance that effort, and other efforts to locate and maintain industry within Toronto.

(Articles on toxic-use reduction program are on file in the City Clerk's Department)

The Board of Health also submits the communication (May 29, 1991) from Ms. Aine Suttle, Citizens for a Safe Environment:

I am representing Citizens for a Safe Environment today. Our group has worked very hard to eliminate garbage incineration as an option in waste management, originally because we were very concerned about the effects that it was having on our downtown east neighbourhood. We were successful in persuading Metro to close the Commissioners Street Incinerator, the City of Toronto to withdraw their plans to build another one at Lakeshore and Cherry Street and T.S.I. Trintek to give up their idea of building another one at Logan and Commissioners Streets. We also believe that we contributed to the Ontario government's decision to ban all future incineration in the Province.

These were major achievements for a local environmental group, but unfortunately we find ourselves in a position where we cannot sit back and enjoy our success. The whole reason that we have fought so hard against all these projects has been our common sense knowledge that all of the pollution coming from these plants was and would in the future undermine the health, and shorten the lives of those who live in our south east end neighbourhood. Over the nine years of our battle there were two major reports which confirmed our fears that our health was being compromised, Kate Davies study on Dioxin in Ontario grown food, 66 times the allowable limits, and the report on Waste Incineration in the City of Toronto. Both reports were commissioned by the Public Health Department, and contained crucial information which helped in the battle against garbage incineration.

We are going to be fighting major environmental battles for the rest of our lives unless our governments start acting on the Zero Discharge agreement of 1978. The environment in South Riverdale is still very poor. The one study which was done to look at our air quality was done by Senes in 1988, and interestingly enough, has never been released by Metro. It was leaked to us that the report showed that our air was so bad that not only the Commissioners St. incinerator should be closed down, but many other sources of pollution in the area also. To me it is criminal that a report like this one can be kept from the public. How many other reports exist that we do not know about?

We would request that the Board of Health immediately request that this report be made public, in its original form.

We have asked on numerous occasions for full scale air monitoring to be done in South Riverdale so that we can get the evidence that we need. We have been refused.

We would also request that the Board of Health also request such monitoring by the Ministry of the Environment.

Planning for the area does not take into consideration the facts that we carry such a burden of pollution. The residents of the area seem to be the only ones who look at the area in that overall way. I believe that individual planners try their best but they cannot seem to stop such projects as the expansion of the Ashbridges Bay Sewage Treatment Plant, or the Main Sewage Treatment Plant, as it is known as in official circles.

This plant is known presently as one of the major sources of pollution on the Toronto Waterfront. Built in 1949, it has had relatively small improvements over the years, and now Metro wants to expand its size without looking at alternative technologies, without considering if the expansion is really necessary if one implements a major program of water conservation.

This plant meets all guidelines, but what does that mean? In your own study of Waste Incineration in the City of Toronto, it meant that in 1986 the plant was spewing out into the air:

53,000 kgs of Particulates
410 kgs of Phosphorus
160 kgs of Arsenic
120 kgs of Cadmium
1520 kgs of Chromium
100 kgs of Copper
310 kgs of Lead
230 kgs of Mercury
700 kgs of Nickel
330 kgs of Zinc
1.94 kgs of Dioxin

56,881.94 kgs per year total.

However you look at it, 57 tons of pollutants per year is not healthy for anybody. We can go on doing studies, risk analysis, health studies, air quality studies and on and on and on, but it is not going to get us anywhere but poorer. The only people who benefit from these exercises are the consultants, and I for one am tired and disgusted at seeing our tax dollars wasted in this way.

If a foreign country dropped that amount of chemicals on us in a year in the form of scud missiles, we would be at war with them. We have to stop this war now. The only solution is Zero Discharge.

I have not even looked at emissions from Ashbridges Bay into the waters of Lake Ontario, where we get our drinking water. However, Metro's lack of success on that score is even more publicly known. It is the main reason that our beaches are closed so often in the summer. After a heavy rainfall it is not safe to bathe in the lake for at least 48 hours because the coliform level in the water is dangerously high. I have never allowed my son to swim there anyway because I know that the coliform pollution has nothing on the chemical pollution which is discharged to the lake everyday. This plant is not designed to take out the chemicals which go through it's processes every day and so much of it ends up in our water. What kills me is that much of it is absolutely legal.

Under present regulations, companies can pay to pollute. The mechanism of this is called a variance to the sewer by-law. In the Port Industrial Area, according to the M.O.E., this allows the following industries to discharge:

m3/y

2,723	Canam Oil Services/Breslube Inc.
72,000	Darling and Co. Ltd.
348,000	Lever Bros
10,000	Mayfair Lakeshore Racquet Club
1,600,000	Paper Board Industries Toronto Mill Division
2,800	Suncor
11,000	Texaco
34,000	Victory Soya Mills
2,080,523	Total

And these are only a few of the industries in one industrial park in Toronto. The Port Industrial Area comprises 40% of Toronto's designated industrial lands, and only 4% of Metro's industrial lands. These companies are the "responsible" ones who actually cooperate with the various governments agencies. These do not include all the companies who are on "compliance programs". These do not include all the companies who discharge to the sewers illegally. These do not include all of us who discharge household chemical wastes down the toilet. It is madness.

Each municipality must gain control of the industries within their boundaries so that they can:

- a) Monitor what chemicals are being discharged to air, land and water.
- b) Bring in programs for these industries which will disallow the dumping of these chemicals into the environment, whether by legal or illegal means, the environment does not discriminate.

In closing, we would like to ask that you endorse the Greenpeace Zero Discharge Statement of Principles, and that the City of Toronto will endeavour to implement zero discharge in all of its programs and services impacting on the environment.

The Board of Health also submits the communication (not dated) from Jim Harris:

A species is a once in-a-universe event, a miracle of creation, an event never to be repeated in the history of time. In the normal course of events a species disappears from earth once every 2,000 years.

Currently species are disappearing at the rate of one every 25 minutes. Once every 25 minutes. That is 42 million times faster than normal. If this continues humanity will eliminate 10% of the remaining species in the next 10 years, and within the next 100 years there will be no living species left on this planet, including humankind.

Extinction is a difficult concept to grasp. It is an eternal concept. It is not like killing an individual life form that is replaced in the cycle of reproduction. Extinction is an absolute and final act. Extinct is forever.

And what is the real tragedy of the present - is that we are terminating this magnificent moment when the whole universe as it were, where the garden planet of the universe came into its blossom. We are destroying in centuries and more specifically just decades what has taken 5 billion years of earth history to create. We are bringing about the extinction of life on such a vast scale that it is staggering.

The glory of the human has become the desolation of the earth. Now the question is: what happens from here on?

Our generation is autistic. An autistic child is closed into themselves - nobody can get in and they cannot get out. They cannot talk, they cannot communicate, and nobody can communicate with them. It is a terrible isolating traumatic state. My generation has become autistic in relationship to the larger world about us.

We talk about human society. There is no such thing. What are we without the water, and the soil, and the plants, and the air, and the sunlight? What are we? Nothing. Nothing whatever. And so when we try to establish a human society in a place that we are exploiting, it is an impossibility.

The human community and the natural world will go into the future as a single sacred community or we will both perish in the desert.

Chief Seattle wrote to the American President in 1855 saying:

How can one buy or sell the air, the warmth of the land? That is difficult for us to imagine. We do not own the sweet air or the sparkle on the water. How can they buy them from us?

Each pine tree shining in the sun, each sandy beach, the mist hanging in the dark woods, every space, each humming bee, every part of the Earth is sacred to my people, holy to their memory and experience.

We are part of the Earth and the Earth is part of us. The fragrant flowers are our sister, the reindeer, the horse, the eagle are our brothers. The rocky heights, the foamy crests of waves in the river, the sap of meadow flowers, the body heat of pony and of human beings - all belong to the same family.

We know that the White Man does not understand our way of life. To him one piece of land is much like another. He is a stranger who comes in the night and takes from the land whatever he needs. The Earth is not his friend but his enemy, and when he has conquered it, he moves on. He kidnaps the Earth from his children. He treats his Mother - the Earth, and his brother the Sky, like merchandise. His hunger will eat the earth bare and leave only a desert.

What are human beings without animals? If all the animals ceased to exist, human beings would die of a great loneliness of spirit. For whatever happens to the animals, will happen soon also to human beings. Continue to soil your bed and one night you will suffocate in your own waste.

Humankind has not woven the web of life. We are but one thread within it. Whatever we do to the web we do to ourselves. All things are bound together. All things connect. Whatever befalls the Earth befalls also the children of the Earth.

When we have cut the last tree, caught the last fish, killed the last eagle with pesticides it is only then that we will realize that we cannot eat all the gold in the bank. What are human beings without animals? When all the animals ceased to exist, we will die of a great loneliness of spirit.

We do not own the earth. We merely borrow it from our children and future generations.

Water is the key to all life on earth. Water is rarely created or destroyed on earth. Cycle - rain, rivers, lakes, oceans - evaporation and rain. Our own bodies are part of that cycle. 70% of our bodies are water. Water is the life blood of life on earth. We should think of whatever we dump in the water as putting in our children's veins.

In a hundred years time, future generations will be astounded by our ignorance. Gold, platinum or diamonds will have no value then, because we can live without diamonds, we can live without gold, we can live without platinum, but we cannot live without air, we cannot live without water and we cannot live without arable land. These will be the most valuable things on earth.

Earth life is based on water.

The Board of Health also submits the communication (May 29, 1991) from Ms. Carolyn Black, President, Pesticide Action League:

My name is Carolyn Black and I am the President of the Pesticide Action League. The focus of this organization is the synthetic chemicals that are applied to kill a variety of life forms and to the artificial fertilizers used on soil. On behalf of my members and supporters I am asking you to endorse the Zero Discharge Principles and to begin discussions between City employees and the informed public that will ultimately see these goals achieved; that is to say ending the use, the production and thus the disposal of persistent and/or bio-accumulative toxic substances.

From start to finish synthetic agricultural products pollute the air we breathe, the water we drink, the soil where they are applied, and they are a problem in landfill sites. The manufacture of these products contributes to global warming.

In urban areas synthetic pesticides and fertilizers are used for cosmetic reasons, when they are applied outside. Inside they are used to kill insects. Such applications are unnecessary as effective, established alternatives exist. This year the Ontario Ministry of the Environment, with the help of Friends of the Earth, has published a booklet "The Organic Approach to Home Gardening", to provide this timely information to Ontario citizens.

Pesticides are being registered and marketed and used with inadequate, incomplete, obsolete, and invalid testing. Only the active ingredient is tested. Formulants are considered to be a trade secret and do not have to undergo testing. The formulants may be more harmful than the active ingredient and the combinations are also not tested. An example of this is the herbicide that is commonly used in urban areas called Roundup. The active ingredient is Glyphosate. A formulant in this product is POEA, which is not tested, nor is the combination of glyphosate and formulants. POEA contains a contaminant, 1,4-Dioxane. This contaminant is highly toxic to the liver and kidneys and is classified as a human carcinogen. The combination, therefore, is much more harmful than glyphosate would be.

The use of pesticides is linked to a number of serious illnesses, both chronic and acute. The World Health Organization estimates that over 200,000 deaths occur annually as a result of pesticides. The American National Academy of Medicine report that 20,000 cases of cancer are directly attributable to pesticides. Children are at risk from these substances because they play in intimate contact with sprayed surfaces, their immune systems are not fully developed, and they have thin skin. The Environmentally Hypersensitive are at risk from these synthetic substances as they are common sensitizing agents.

The general public is poorly informed and often misled about the risks involved in using these products. Some lawn care companies make false claims about their safety. At present the U.S. Environmental Protection Agency is conducting a special review of 6 pesticides that are frequently used in urban applications. Chronic health concerns have arisen after their registration. The list of health concerns are; birth defects, tumours, reproductive effects, genetic mutations and cancer. 2,4-D and Diazinon are both under review.

Synthetic pesticides and fertilizers adversely affect a wide variety of species other than the target organism. Non-human animals, birds, fish, beneficial insects and soil micro-organisms are all endangered.

Applications of these substances can result in spray drift, volatilization and run-off. They contaminate both surface and ground water. Our soil is contaminated and these chemicals enter the food chain.

In the years that we have been using synthetic agricultural products many insects fungi and weed species have become resistant. Conversely in the same period of time many people have become intolerant and reactive to these same substances.

We have been paying an incredibly high price, both environmentally as well as in terms of human health to have weed free, insect free green spaces. I believe that the experiment has proved unsuccessful and that it is time to move in a different direction.

The Zero Discharge alliance is a wonderful direction for this city to consider moving to. I urge you to endorse its principles.

The Board of Health also submits the communication (May 29, 1991) from Ms. Karey Shinn, President, Kew Beach Residents' Association, Member, Air Work Group, Royal Commission on the Future of the Toronto Waterfront, Member, Public Consultation Committee for the Ashbridges Bay Sewage Treatment Plant Environmental Assessment:

I am writing to support the Zero Discharge Statement of Principles presented by Greenpeace. In addition are my comments and recommendations.

It is my thoughtful recommendation that our City Department of Health and the Ministry of Health draft and adopt a policy paper, which I feel should be titled "The Future of Health".

This policy paper would insure that the practices and principles of government, build in the preventive action, required to improve the environment and by so doing improve public health. Without such a policy there is no implementation strategy for Zero Discharge or any real control. For example, I suggest that all certificates of approval, for air and effluent emissions be reviewed by either the Department of Health and/or Ministry of Health and a veto power be given to health authorities to ensure that old (sometimes 40 year old) approvals be reassessed. See attached article from the Leslieville News.

When Britain began the National Health Service in 1947 it became a benchmark in health care. They rationalized that if a society was given access to health care, people would become well and then the system would become cheap to run. It did not work. A treatment oriented system does not produce the health that a prevention program does. This is repeatedly the case with vaccines (smallpox is history).

No one imagined in 1947, the environmental conditions we must now address, literally thousands of new chemicals are being produced annually, and there is no way to know what is "safe".

It is a tactical error to try and only cure such things as cancer, and do little to prevent it. This is a costly practice which has the potential to break the system that is seeing increasing numbers of sick people, instead of creating the opportunity to be well. Because of the long distance transfer of toxics from stack emissions (air), and liquid discharges (water cycle), the potential exists to make everyone sick. We cannot afford a system that subsidizes the discharge of toxics and fine particles into our environment, with not just our taxes, but our lives.

A bomb with a 20 year fuse is just as deadly as the same bomb with a 3 minute fuse. In effect, if you can engineer a 20 year fuse into emissions we are told this is an acceptable standard. No one is even warned. Our cities and countryside are a mine-field that has now begun to impact on our entire environment; the water, air and food.

Zero Discharge is the right goal. Anything more, over time, will create serious and unpredictable consequences.

I recommend that the Board of Health adopt these Zero Discharge principles for persistent toxics, and also address the health impact of "fine particles".

If something is done now, our children have the opportunity to grow up to be healthy, productive people by the time they are 30.

New standards such as Zero Discharge will work. It is cynical to be government and not operate on principles that would allow every person in the democracy the opportunity to function to their personal best. Health, not health care is a value of life.

(Leslieville Community News article (April, 1991) entitled "If Our Environment Matters, Where Are The Safeguards?" is on file in the City Clerk's Department)

The Board of Health also submits the communication (May 27, 1991) from Ms. Mary Lovett:

For the past year I have been speaking informally to small groups of neighbours, teachers, friends and church groups about environmentally safe alternatives to many household toxic chemicals and garden pesticides.

I have become increasingly alarmed with the number of people who pour toxic chemicals into our sewer system and are unaware of the dangers and consequences of their actions. People have admitted to me pouring bleach, paint, old medication, gasoline and oil down their drains. Ultimately all these toxic substances end up in our drinking water, the Great Lakes.

I have found the groups I have spoken to extremely anxious for proper information and education about alternatives and safe methods of disposal.

By endorsing the Zero Discharge Statement of Principles, the Board of Health and Toronto City Council will be taking a positive step and show leadership in helping to clean up the Great Lakes. People are very concerned and are ready to take positive action.

COUNCIL ACTION

(Council Meeting - June 17 and 18, 1991)

In addition to adopting this Clause, Council also requested that:

1. the report requested of the Committee of Heads be submitted to the Board of Health and the City Services Committee for submission to the second meeting of the new Council;
2. the Commissioner of Public Works and the Environment provide an updated report, at his convenience, on the conclusion of the Eastern beaches project and the second detention tank facility;
3. the Medical Officer of Health report to the Board of Health on the cost of the proposed Hazardous Waste Minimization Program; and
4. Council's action be forwarded to the A.M.O., F.C.M., and municipalities in Ontario with a population over 50,000.



The
REGIONAL
MUNICIPALITY
of WATERLOO

RECEIVED

JUN 8 1991

REC

4.

CITY CLERKS

Mars

ENT
VC,
lerk
4G7

Telephone: (519) 885-3410
FAX: (519) 885-1436

June 28, 1991

File: F21-02

Ministry of Municipal Affairs
Municipal Finance Branch
777 Bay St., 13th Floor
Toronto, Ontario
M5G 2E5

Dear Sir:

RE: Development Charges Act S.O. 1989 and
Ontario Regulation 725/89

This is to inform you that the Council of the Regional Municipality of Waterloo, at its regular meeting held on June 27, 1991, approved the following:

THAT the Regional Municipality of Waterloo request the Province of Ontario, in conjunction with the appropriate municipal organizations, to establish a Task Force to review and standardize the administrative implications of the Development Charges Act S.O., 1989 and Ontario Regulation 725/89.

And that the Region request the Province to delay the November 23, 1991 implementation date for Development Charge By-Laws until the aforementioned review and standardization has been completed;

And further that this resolution be circulated to the Regional Chairmen's group; the Association of Municipalities of Ontario; Municipal Finance Officers Association; Regional Planning Commissioners group; and all municipalities having a population of 50,000 or more.

Yours truly,

J. Current
for

John Current, A.M.C.T.
Deputy Regional Clerk

JC/ch

cc: Hon. David Cooke,
Minister of Municipal Affairs

W. Ferguson,
MPP Parliamentary Assistant to the Minister

Regional Chairmen's Group

Association of Municipalities of Ontario

Municipal Finance Officers' Association

Regional Planning Commissioners

Hon. M. Farnan, MPP Cambridge, Solicitor General

E. Witmer, MPP, Waterloo North

M. Cooper, MPP, Kitchener-Wilmot

✓ Municipalities 50,000 and over



OFFICE OF THE CITY CLERK
THE CORPORATION OF THE CITY OF OSHA

5.

ED

R. A. HENDERSON, A.M.C.T., C.M.C.
City Clerk

TEL. (416) 725-7351
FAX (416) 436-5697

50 CENTRE STREET SOUTH
OSHAWA, ONTARIO
L1H 3Z7

BRIAN SUTER, C.M.O., C.M.C., C.M.M.
Deputy City Clerk

File C-2210/F-4100

June 20, 1991

ALL ONTARIO MUNICIPALITIES OVER 10,000 POPULATION

Re: Rolling Thunder Theatre Group

City Council considered the above matter at a meeting held on June 17, 1991, and adopted the following recommendation of the Community Services Committee:

"Whereas the welfare of a community is measured by its ability to meet the needs of all its citizens, including those persons with special needs,

And whereas The Rolling Thunder Theatre Group is comprised of members with special needs,

And whereas The Rolling Thunder Theatre Group of Ontario has provided a valuable service to citizens of this community through their performances in educating the public to the needs of our community special population groups,

And further The Rolling Thunder Theatre Group will no longer be able to continue in providing theatre productions because of the lack of financial resources,

Therefore be it resolved that Oshawa City Council, on behalf of its citizens, recognize, support and pay tribute to this Theatre Group by requesting all Provincial Ministries, whose mandate includes persons with special needs, to financially support the continuation of The Rolling Thunder Theatre Group, and, furthermore, that correspondence be sent to all Ontario municipalities over 10,000 population for their support of this resolution with encouragement to all communities to provide support to this organization."

Information concerning this group is enclosed.

Your support of this resolution would be appreciated.


Brian Suter
Deputy City Clerk

BCS/SK/cfk

enc.

c: Community Services Department

The City of
Niagara Falls
Canada



City Hall
Niagara Falls, Ontario
L2E 6X5
(416) 356-7521
Fax : (416) 356-0759

RECE

6.

CITY CLERKS

June 21, 1991

Mr. Keith Avery
City of Hamilton
71 Main St. W.
Hamilton, Ontario
L8V 2W5

Dear Mr. Avery:

Enclosed please find a formal resolution adopted by the Council of the City of Niagara Falls at their regular meeting held on June 17, 1991.

Also attached is the background report related to this subject.

The support of your Council would be greatly appreciated. Should your Council decide to support the resolution, please forward it to the Ministry of Consumer and Commercial Relations.

Yours very truly.

E.C. Wagg, C.M.O.
City Clerk
Lottery Licensing Officer



City of Niagara Falls, Ontario

COUNCIL CHAMBER

No. 28

June 17, 1991

Moved by Ald. ORR

Seconded by Ald. SHERAR

RESOLVED that WHEREAS licensed lottery operations exist in the Province of Ontario to provide funding for works of charitable, religious or community benefit;

AND WHEREAS Provincial Terms and Conditions exist to ensure the proper administration of lottery schemes in the Province of Ontario;

AND WHEREAS Provincial Terms and Conditions Under Which a Bingo Lottery Licence is Issued, Term #15 states, "The amount expended, exclusive of prizes awarded, in the conduct and management of any bingo lottery shall not exceed 15% of the gross receipts derived therefrom.";

AND WHEREAS the Federal Goods and Services Tax (GST) is an administrative expense, which licencees must bear in the administration of their licensed lottery;

AND WHEREAS the Federal Sales Tax, which was the predecessor to the GST, was an allowable administrative expense pursuant to Provincial Term and Condition #15;

AND WHEREAS not all organizations who are licenseable for lottery purposes are able to recover any GST expenses, in whole or in part;

AND WHEREAS licencees stand to lose a substantial amount of their profit, which is used for charitable, religious or community projects;

BE IT THEREFORE RESOLVED that the Council of the Corporation of the City of Niagara Falls respectfully request the Honourable Marilyn Churley, Minister of Consumer and Commercial Relations to review the position of Ministry staff, which indicates that the GST, although an administrative expense, is not an allowable expense under Provincial Term and Condition #15;

AND BE IT FURTHER RESOLVED that the Minister instruct, that all administrative expenses, including the GST, be permitted in the calculation of the administrative expenses pursuant to Provincial Term and Condition #15;

AND that this resolution be circulated to the Association of Municipalities of Ontario (AMO), the Association of Municipal Clerks and Treasurers of Ontario (AMCTO), all Ontario municipalities with a population of over 50,000 persons and all municipalities within the Regional Municipality of Niagara with a commercial bingo hall in operation.

CARRIED with Aldermen Cummings and Ward abstaining from the vote on conflicts of interest, and with all others voting in favour

Clerk

E.C. WAGG

Mayor

ACTING MAYOR MARK HOPKINS



June 17, 1991

Acting Mayor Mark Hopkins
and Members of the Municipal Council
City of Niagara Falls, Ontario

Members:

CD-91-44

Goods and Services Tax Effect on Bingo Licencees

RECOMMENDATIONS:

1. That Council indicate their objections to the Minister of Consumer and Commercial Relations, the exclusion of the Goods and Services Tax (G.S.T.) from the Provincial Term and Condition #15, with respect to the 15% allowable expense calculation.
2. That Council endorse a resolution appearing on this evening's agenda in this matter.
3. That copies of the resolution and this report be circulated to the Association of Municipalities of Ontario (AMO), Association of Municipal Clerks and Treasurers of Ontario (AMCTO), all Ontario municipalities with a population of 50,000 or over and all municipalities within the Regional Municipality of Niagara with a commercial bingo hall in operation.

BACKGROUND:

In December of 1990, Staff began preparing for the implementation of the Goods and Services Tax (GST) by attempting to determine its impact on lotteries in Niagara Falls, specifically bingo.

Provincial Term and Condition #15, states that; "The amount expended, exclusive of prizes awarded in the conduct and management of any bingo lottery shall not exceed 15% of the gross receipts derived therefrom."

By applying this rule, Staff is of the opinion that as the GST is an expense in the conduct and management of a bingo, and as such should be included within the calculation of the 15% administrative expense.

Staff consulted the Ministry of Consumer and Commercial Relations, Entertainment Standards Branch in December to obtain further clarification with respect to our position and on December 18, 1990 received correspondence from the Branch regarding this matter.

The Ministry position is as follows; "In view of the fact that the GST is a federal tax which falls exclusively within the jurisdiction of the federal government, the Branch will exclude it from a bingo licensee's 15% administrative expense calculations. The Branch will also be advising organizations to outline on financial report forms a breakdown of GST charges for paper, rent, advertising etc."

Upon receipt of this correspondence, Staff wrote the Ministry with respect to this position. Staff advised the Ministry that it was our position that regardless of where the expense occurred, if it was an expenses involved in the conduct and management of a bingo lottery, as such it should be part of the 15% administrative expense calculation. Staff also felt it unfair that the entire impact of the GST be borne by the organizations running bingo.

On January 4, 1991, the Ministry of Consumer and Commercial Relations sent to all municipalities Interpretation Letter 006 titled GST and Lotteries. This letter indicated how the GST was to be applied to lotteries. The following items were covered:

1. "The GST does not apply to the licence fee for any gaming event."
2. "In commercial bingo halls, the GST is payable on all rental and bingo paper/supplies purchased by the charity. When bingo cards are sold to the patrons, the GST does not apply."
3. "The GST will not be included in the 15% administrative expenses calculation for bingo events. However, the GST paid on hall rent and supplies must be itemized on the financial report form."
4. "For all other lottery events, GST paid by the charity for applicable supplies must be itemized and disclosed on the financial report form."

On January 8, 1991, Mr. John Chalmers, Director of the Entertainment Standards Branch, Ministry of Consumer and Commercial Relations, responded to our letter of December 18, 1990 and stated the Ministry position as follows; "The GST payable by a charity for rent and paper in a commercial bingo hall is not a true reflection of the actual cost to the charity. Each organization depending on their structure and gross income will receive a GST credit that will be applied against what they spend. In addition, a group that operates a bingo in a non commercial hall won't pay GST. In absence of 4000 auditors to track all these expenditures and credits to determine exactly how much the actual cost to a charity is (if any), a decision was made not include it in the 15% calculation."

Staff believe that only a small portion of groups will receive any credit at all for GST paid and in those cases where a credit can be claimed, it is to a maximum of 50% of the GST paid.

The municipal authority to licence comes from Order-in-Council 274/70 which states;

"AUTHORITY TO LICENCE

2. (1) A municipal council may, where it deems it expedient in the best interests of the inhabitants of the municipality, issue a licence authorizing any charitable or religious organization to conduct and manage a bingo lottery, a raffle lottery, or a lottery scheme held at a bazaar, if

(a) the proceeds from the lottery are used for a charitable or religious object or purpose in Ontario, and....

INTERPRETATION

1. In the sections set out herein,

(a) 'charitable object or purpose' means any object or purpose for

- (i) the relief of poverty
- (ii) education,
- (iii) the advancement of religion, or
- (iv) any purpose beneficial to the community

(b) 'charitable organization' means an organization which performs services of public good or welfare without profit and includes an organization designated as such by the Minister."

Many organizations which are eligible for licences under the above authority, are not "charities" according to the Ministry of Revenue and are therefore not eligible for any GST credit or rebate.

The opinion on the eligibility of bingo organizations for GST purposes was found in information available to this office in two public documents published by the Ministry of Revenue, Customs and Excise, titled GST, Goods and Services Tax, Information for Non-Profit Organizations, and GST, Goods and Services Tax, Information for Charities. These two publications distinguish the difference between these two types of organizations, with respect to the GST.

NON-PROFIT

"An organization is considered 'non-profit' if it is organized and operated solely for a purpose other than making a profit. Charities and registered amateur athletic associations are not considered to be non-profit organizations."

"No GST will apply to gambling proceeds you receive from sales of certain lottery, break-open and raffle tickets, casino nights, bingo or raffle games, or other games of chance. Gambling is also exempt. If you operate your own bingo games and casino nights as fundraisers, the GST will not apply to the fees charged for the use of bingo cards or the taking of bets during a casino night. You will be considered the operator if you operate a bingo game without the assistance of a commercial bingo-hall operator, or if you rent a bingo hall from a commercial bingo-hall operator and hold the licence to run the bingo game. You will pay a portion of the proceeds to the bingo hall owner for the use of the hall. This payment to the bingo hall owner will be taxable. GST will apply to this payment, because the bingo hall owner is making a taxable supply of a right to use the facility to the non-profit organization. The bingo hall owner must therefore collect GST on the fee charged for the use of the hall."

Non-Profit organizations fall under two categories with respect to the GST. "Non-profit organizations with total sales of taxable goods and services that are more than \$30,000 will have to register for the GST, and charge and remit the tax. Non-profit organizations that provide taxable goods and services valued at less than \$30,000 per year do not have to register for the GST. They are considered to be small suppliers. They will not charge the GST on taxable sales and will not recover the GST paid on purchases.

"If you are not involved in any taxable activities, you are not eligible to register for the GST."

"Input Tax credits are limited strictly to purchases and expenses used in taxable activities."

Therefore, in the case of an exempt activity, such as bingo, run by a non-profit organization, the licencees do not charge the GST and cannot claim input tax credits. This results in the inability of these organizations to recover any of the GST costs to operate the bingo event.

CHARITIES

"All charities registered under the Income Tax Act may claim a 50% rebate of the GST paid on expenses used to provide exempt goods and services. For the purposes of this guide, the term 'charity' refers both to charitable and national amateur athletic associations or organizations registered under the Income Tax Act."

In order to claim the "charity" designation under the Income Tax Act, an organization must have what is called a "National Revenue Number", which gives an organization the ability to give a tax receipt for income tax purposes.

"The GST does not apply to bingo games and casino nights run by charities. When it is the charity itself that is operating the gambling event, GST is not charged on the fees charged to participants for the use of bingo cards

or the taking of bets during a casino night. This would apply when the charity operates a bingo game itself, without the assistance of a commercial bingo operator, or when a charity rents a bingo hall from a commercial operator and holds the licence to run the bingo game. If a charity rents the commercial hall, it would normally pay a portion of the proceeds from the game to the bingo hall owner for use of the hall. The GST would apply to the payment to the commercial hall owner because the owner is making a taxable supply of the right to use the facility to the charity. The owner must therefore collect GST on the fee charged for the use of the hall.

Therefore, in view of the regulations that allow for a 50% rebate on the GST charged in exempt activities, such as bingo for "charities", these organizations can claim a rebate of 50%.

Notwithstanding, the eligibility or lack of eligibility of licencees for either a GST rebate or credit, it is still difficult for Staff to comprehend the reasoning which led to the Ministry decision to exclude the GST from the 15% allowable administrative expenses calculation.

We must note that prior to the implementation of the GST, a manufacturers tax of 13% (FST) was imposed upon the cost of supplies which are now subject to the GST. The FST, was included in the amount paid for the supplies by the licensee and was therefore included within the 15% allowable administrative expense.

In addition, any Provincial tax paid either prior to or subsequent to the implementation of the GST was and still is included in the cost of the supplies, therefore within the 15% allowable administrative expense calculation.

With the implementation of the GST, the FST paid firstly by the bingo hall owner and then by the licensee as a built in cost of the supplies, was removed and a GST of 7% was now added to the cost of the supplies. The bingo hall owner purchases the supplies from the manufacturers and pays the GST. He in turn sells the supplies to the licencees, collects the GST from them, deducts the GST he has paid to purchase the supplies from that which he collects on the sale to the bingo licensee and remits only the difference to the federal government.

In addition to supplies, the licencees pay GST on the cost to rent the bingo hall. The same principle as with supplies, applies in this case in that the GST paid by the hall owner in his purchase from the supplier (eg. gas, hydro, etc.) is deducted from the amount collected and the difference remitted.

In effect, the hall pays no GST, as he has the ability to take advantage of a system which is in place (the input tax credits) to protect him from losses, which may occur as a result of the GST.

Unfortunately, the licensee, subject to the Provincial ruling with respect to GST and administrative expenses is unable in the majority of cases to be protected from losses caused by the GST.

It is our opinion that the Provincial Term and Condition which allows the licensee to use up to 15% of gross receipts to cover the administrative expenses of operating a bingo was put in place in order to protect the licensee's profit. The Province's ruling negates this protection in the case of the GST and takes this amount directly from the net proceeds (profits) of the licensee, which are the funds used within the community.

The City of Niagara Falls currently licences 72 organizations to operate bingo. We asked our licensees to indicate to us their status for GST purposes and if able, to give us their registration number. Based on the information received, we have calculated the following;

14 of 72 organizations can claim a National Revenue Number (Income Tax Act) therefore are designated a charity for GST and can claim a 50% rebate.

58 of 72 organizations were either unable to register, or registered as a non-profit organization and are therefore designated as a non-profit organization for GST purposes and not entitled to a rebate or credit of any kind.

Therefore, 20% of the organizations can claim a 50% rebate
While, 80% of the organizations cannot claim a rebate.

Based on a 4 month review of lottery reports, we have estimated the following;

Collected in GST as of April 30, 1991	\$34,500 (approx)
Collected from "charities"	7,000 (approx)
Rebate allowable	<u>3,500 (approx)</u>
NET GST PAID	\$31,500
Estimated Yearly Collected	\$103,000 (approx)
Estimated Collected from "charities"	20,700 (approx)
Estimated Rebate allowable	<u>10,350 (approx)</u>
ESTIMATED NET GST PAID	\$ 93,150

The \$93,150 that is being lost by the organizations to the GST, is \$93,150 that could be better spent doing good work in the community.

If as the Ministry says, "the GST is a federal tax, which falls exclusively within the jurisdiction of the federal government" and is therefore excluded from the 15% allowable administrative expense, Staff wonders why prior to 1991, the Federal Sales Tax (FST) along with the Provincial Sales Tax (PST), as a built-in cost of supplies was an allowable administrative expense within the 15%. Yet in 1991, with the elimination of the FST and the implementation by the Federal Government of the GST in its place, the GST doesn't fall within the 15% allowable expenses calculation.

Council's concurrence with the recommendations in this report is solicited.

Prepared by:



Angela Arntz
Lottery Licence Inspector

Respectfully submitted:



E.P. Lustig,
Chief Administrative Officer

Recommended by:



E.C. Wagg,
City Clerk/Lottery Licensing Officer



NEPEAN



CITY CLERK'S DEPARTMENT

our reference: B11-00-RES

your reference:

RE 7
C

July 17, 1991

City Clerk
City of Hamilton
71 Main Street West
Hamilton, Ontario
L8N 3T4

Dear Sir/Madam:

Re: Air India Flight 182 Disaster

The Council of the Corporation of the City of Nepean, at its regular meeting of June 27, 1991, passed the attached Resolution pertaining to the calling of a Royal Commission of Inquiry into the circumstances surrounding the Air India tragedy which occurred in June 1985.

The support of your Council for this resolution would be appreciated. Should your Council decide to support the resolution, please forward it to the Prime Minister's office in Ottawa.

Yours truly,

Eric Cooper
Deputy City Clerk

/mh
encl.

CORPORATION OF THE CITY OF NEPEAN

Nepean Civic Square
101 Centrepointhe Drive
Nepean, Ontario
K2G 5K7

Administration/Licencing 613-727-6610
Enforcement 613-727-6614
Fax 613-727-6613



THE CORPORATION OF THE CITY OF NEPEAN
CITY COUNCIL RESOLUTION - JUNE 27, 1991
MOTION NUMBER 195-91

Moved by David Pratt

Seconded by Gord Hunter

WHEREAS, Air India Flight 182, a 747 passenger jet carrying 329 people including 295 Canadians from Toronto to London, crashed 110 miles west of the Irish coast on June 23, 1985;

AND WHEREAS, all of the 329 passengers and crew, including six infants, 82 children and more than a dozen families perished;

AND WHEREAS, ten of the victims of the Air India crash were Nepean residents;

AND WHEREAS, after six years of investigation many of the families and friends of these victims have not been satisfied that the Federal Government has done everything in their power to discover the truth about the tragedy of Flight 182 and to ensure that such a tragedy never occurs again;

THEREFORE, BE IT RESOLVED THAT the City of Nepean call on the Federal Government to immediately initiate a Royal Commission of Inquiry into the circumstances surrounding the Air India tragedy including recommendations aimed at ensuring that a similar incident does not re-occur;

AND BE IT FURTHER RESOLVED THAT the Federation of Canadian Municipalities be notified of this request, and that the City of Nepean encourages other municipalities to pass similar motions calling for a Royal Commission of Inquiry into the Air India tragedy;

- Carried -

Certified True Copy of
Excerpt from Minutes of the
Regular Council Meeting held
June 27, 1991.



Eric Cooper
Deputy City Clerk

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **TENTH** Report for 1991 and respectfully recommends:

1. (a) That the By-Law to alter Sanatorium Road from West 21st Street to Garth Street be introduced and enacted by Council.
- (b) That the Commissioner of Transportation/Environment Services be authorized to prepare the construction documents and to carry out construction this year.

2. (a) That the following City lands be sold to various abutting owners:

<u>Sale of City Lands</u>	<u>Sale to</u>	<u>Description of Sale</u>	<u>Consideration</u>
Alley south of Concession Between East 38th and East 39th	Peter Emery	Part 2, 62R-11097	\$1.00
	Donald Wilds	Part 3, 62R-11097	\$1.00
	Marc and Carol Corrin	Part 1, 62R-11097	\$1.00
	Milorad and Dusica Kobiliski	Part 4, 62R-11097	\$1.00
Alley south of Main (between Balmoral Avenue and Grosvenor)	Diego and Mary Sebastianutti	Part 5, 62R-10227	\$1.00
	482115 Ontario Ltd	Part 8 & 9, 62R-10227	\$1.00
	Michael and Jessie Wyslobicky	Part 6, 62R-10227	\$1.00
	George Badura	Part 2, 62R-10227	\$1.00
	Mario Felicetti	Part 3, 62R-10227	\$1.00

- (b) That the appropriate By-Laws carry out the sale of the lands be enacted by Council.

- (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-laws.
- 3. That a School Crossing Guard be assigned to the signalized intersection of Queen Street south and Aberdeen Avenue.
- 4. That a Summer Crossing Guard be assigned to the intersection of Britannia Avenue and Tragina Avenue.
- 5.
 - (a) That staff be directed to erect barriers on Lloyd Street to permit automobile traffic but prohibit truck traffic.
 - (b) That staff investigate the possibility of opening up the old private roadway on Consumer's Glass property to provide access to truck traffic.
 - (c) That staff report back to the Transport and Environment Committee with any findings regarding the above-noted directions.
- 6. Notwithstanding that the policy of insurance obtained by Canadian Pacific Limited for cessation of whistling at-grade crossings contains a clause excluding coverage for pollution (chemical releases or chemical spills), that the City of Hamilton proceed with the completion of the agreement specified in Item 32 of the Transport and Environment Committees ninth report, adopted by Council June 25, 1991.
- 7. That purchase orders be issued to December 31, 1991, for the rental of labour and equipment for snow removal, with an option in favour of the City to extend for three additional one year terms, expiring April 30, 1994, in accordance with specifications issued by the Manager of Purchasing and Vendors' tenders, attached hereto as Appendix "A" and that this expenditure be financed through the Hired Equipment Clearing Account No. CH56602 60999.
- 8.
 - (a) That an Option to Purchase executed by Frank Russo and Paola Pasinato on June 20, 1991 and scheduled for closing on or before September 23, 1991 for the purchase of part of the property at 1286 Upper James Street, required for the extension of Forbes Avenue in the Blossom Estates Subdivision, be approved and completed. The subject parcel contains 2,410 square feet (0.055 acre) and is shown as Part 3 on Plan 62R-10161. The purchase price of \$8,000.00 be charged to Account Number CH 5X303 00107 (Reserve for City's Share of Services through Unsubdivided Lands-Transportation Capital) in which sufficient funds are available to finalize this transaction.

- (b) That consideration in the amount of \$2.00 has been paid to the owners and forms part of the purchase price.
- 9.
- (a) That an Offer to Purchase, duly executed by Frederick and Wilma Daskaluk on July 3, 1991, and scheduled to close thirty (30) days after the enactment of a by-law to sell the closed portion of said alleyway, for the purchase of a portion of the East/West Alleyway directly South of Municipal Address 410 Upper Wentworth Street be accepted and completed. The portion to be purchased is more particularly described as the North half, front to rear, of the East/West 10 foot Alley abutting the North Limit of Lot 50, Registered Plan 541. Said alley portion has a frontage along the easterly limit of East 19th Street of 5 feet (1.524 metres) more or less, by a depth of 140 feet (42.6 metres) more or less. The purchase price of \$1.00 be credited to Account Number CH 4X501 00102 (Sale of Land - Property Purchases).
 - (b) That an Offer to Purchase, duly executed by Frederick and Wilma Daskaluk on July 3, 1991, and scheduled to close thirty (30) days after the enactment of a by-law to sell the closed portion of said alleyway, for the purchase of a portion of the East/West Alleyway directly North of Municipal Address 103 East 19th Street, be accepted and completed. The portion to be purchased is more particularly described as the South half, front to rear, of the East/West 10 foot Alley abutting the North Limit of Lot 50, Registered Plan 541. Said alley portion has a frontage along the easterly limit of East 19th Street of 5 feet (1.524 metres) more or less, by a depth of 140 feet (42.6 metres) more or less. The purchase price off \$1.00 be credited to Account Number CH 4X501 00102 (Sale of Land - Property Purchases).
 - (c) That the sale of this Alleyway be conditional upon the following:
 - i. It is understood and agreed that this Offer to Purchase is conditional upon a Judge's Order being granted to stop up and close that portion of the alleyway being located directly north of 103 East 19th Street. In the event that the Judge's Order is not granted the Purchaser and City agree that this Agreement of Purchase and Sale shall be null and void and the deposit, if any, received by the City from the Purchaser shall be returned to the Purchaser without deduction or interest and the Purchaser agrees that he shall have no claim against the City for any cost, expense, interest, claim or damages as a result of the termination of this Agreement.

- ii. It is understood and agreed by the Purchaser that the closing of the sale by the City of the subject property to him is also conditional upon the Municipality enacting a by-law to authorize the sale of the closed former highway and upon the compliance by the Municipality with the procedures for that purpose in the Municipal Act. In the event that the Municipality does not enact a by-law for the sale of the subject land to the Purchaser, the Purchaser and the City agree that this Agreement of Purchase and Sale shall be null and void and the deposit, if any, received by the City from the Purchaser shall be returned to the Purchaser without deduction or interest and the Purchaser agrees that he shall have no claim against the City for any cost, expense, interest, claim or damages as a result of the termination of this Agreement.
 - iii. It is understood and agreed that the exact area to be purchased will be determined by a survey provided by the Purchaser in compliance with the policy attributable to the closing of alleys.
 - iv. It is understood and agreed by both parties that the Purchasers (Mr. Frederick Daskaluk and Mrs. Wilma Daskaluk) have the right to assign this Agreement to another party prior to the completion of this transaction.
10. (a) That an Option to Purchase executed by the owner, The Board of Education for the City of Hamilton on July 3, 1991 and scheduled for closing on or before October 8, 1991, for the property known as Parts 1-14 on Plan 62R-11311, be approved and completed. The subject lands are irregular in shape and contain .9651 hectares (2.3849 acres) and are located south of Rymal Road East. The purchase price of \$75,001.00 be charged to Account Number CH 5X303 00107 (Reserve for City's Share of Services through Unsubdivided Lands - Transportation Capital).
- (b) That the Option to Purchase be conditional upon the following:
- i. aa) It is understood and agreed by the Vendor and Purchaser, that the City of Hamilton will establish one foot reserves along the frontages of all the public streets being acquired in order to recover costs for services from the abutting developers in accordance with normal City and Regional policy (see letter dated May 31, 1991 from Mr. K. Brenner).

- bb) It is understood and agreed by both parties, that \$75,000.00 of the purchase price is for compensation being provided for Parts 4, 5, 6, 10, 12 and 13 on 62R-11311 (Upper Wentworth Street) and in view of the compensation being satisfactory to both parties, the Purchaser (City) will not recover any land costs associated with the lifting of the one foot reserve for lands abutting Upper Wentworth.
- cc) It is further agreed that the land required for the public roads known as parts 1, 2, 3, 14, 7, 8, 9 and 11, 62R-11311 is being conveyed for the sum of \$1.00 and here again there will be no land cost recovery.
- ii. The Purchaser agrees to grant the Vendor a right-of-way over the said parcels of egress and ingress purposes until such time as they are incorporated into the roadway.

It is understood between the parties that the provisions contained in the above-mentioned conditions shall survive the closing of the sale and not merge and shall remain in full force and effect.

- 11. (a) That the "Criteria For Industrial Roadside Beautification Program" - July 1991 attached hereto as Appendix "B" be approved.
- (b) That the criteria for Industrial Roadside Beautification Program be forwarded to the Region and the Region be requested to consider adapting a similar program on Regional roads.
- (c) That the Regional Engineering Services Committee be requested to report on their construction contracts for improvements in boulevard areas on regional roads.
- 12. (a) That the authorization given to the Commissioner of Engineering to issue a purchase order to Weinmann Electric Limited at a total cost of twenty-seven, four hundred and seventy-one dollars and fifty cents (\$27,471.50) as per Item 13(b) of the 10th Report for 1990 of the Transport and Environment Committee approved by City Council on 1990 July 31, be rescinded; and
- (b) That a purchase order be issued to Gerrie Electric to supply 92 light fixtures complete with high-pressure sodium lamps, brackets and 22" globes at a total cost of thirty thousand and thirty-eight dollars and ninety-two cents (\$30,038.92); and,

- (c) That a purchase order be issued to S & S Electrical Services for the installation of 92 decorative light fixtures on John, Hughson and King William Streets within Phase IIIB of the Downtown Action Plan at a total cost of two thousand dollars (\$2,000).
- 13. (a) That the City lands, known as parts 1,2,3,4,5 and 12 on Plan 62R-11790, be incorporated into DiCenzo Drive.
- (b) That the appropriate By-Law to carry out the incorporation of the said lands into DiCenzo Drive be enacted by Council.
- (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-law.
- 14. (a) That the Committee recommend limits of construction for the installation of a combined concrete sidewalk on Sorrento Place;
- (b) That the Subdivider, Di Cenzo Construction Company Limited, be advised of the limits of the sidewalk installation on Sorrento Place, and be directed to proceed with construction.
- 15. (a) That the following list be adopted as the Supplementary Program of the 1991 Road and Sidewalk Capital Reconstruction Programme:

- Mt. Albion Road at Albright Road, Traffic Signal Installation
- Barnesdale Boulevard, Dunsmure Road to Main Street
- Rodgers Road, King Street to Central Avenue
- Ashland Avenue, Tenth Avenue to Winchester Boulevard

Supplementary projects, in the order stated above, will be constructed in 1991, provided sufficient funds become available in the 1991 Road and Sidewalk Reconstruction Programme. The priority of projects not constructed in 1991 will be re-evaluated within the 1992 Reconstruction Programme.

- (b) That the Commissioner of Transportation/Environmental services be authorized to undertake the works on behalf of the City of Hamilton once all the necessary approvals have been received.
- (c) That the construction of concrete sidewalks on Maple Avenue between Ottawa Street and King Street be deleted from the 1991 Road and Sidewalk Reconstruction Programme and added to the 1992 Programme;

- (d) That the road construction of MacLennan Avenue between Upper Wentworth Street and East 23rd Street not proceed, but rather sidewalk reconstruction and roadway reshaping commence as outlined in the City of Hamilton's 1991 Capital Road and Sidewalk Programme;
 - (e) That the reconstruction of Stirton Street from Wilson Street to Cannon Street not be proceeded with at this time.
 - (f) That the Finance and Administration Committee be requested to recommend the method of financing the above noted additional projects, estimated at \$700,000.
16. That the approval granted by City Council on June 26, 1990 in adopting Item 9 of the 9th Report of the Transport and Environment Committee to close the assumed public alleyway between Hillview Street and Emerson Street south of Ainslie Avenue, be rescinded.
17. (a) That Rymal Road Developments Inc. be required as a condition of severance of land for proposed townhouse units, Part 11 on survey plan (draft reference plan) 90-1143-8 as prepared by Mackay, Mackay & Peters Limited for future Elite Drive from Upper Wentworth to approximately 75 metres east of Upper Wentworth Street and that the applicant's solicitor shall prepare the deed, satisfactory to the Regional Surveyor, register the deed and certify title to the city of Hamilton in a form satisfactory to the Law Department.
- (b) That the Commissioner of Transportation/Environmental Services be authorized and directed to prepare the necessary By-Law to incorporate Part 11 into Elite Drive.
- (c) That application be made to the Region for approval to establish Elite Drive from approximately 75 metres east of Upper Wentworth Street to Upper Wentworth Street, as a public highway pursuant to section 48(3) of the Regional Municipality of Hamilton-Wentworth Act. (Upper Wentworth-Regional Road No. 167)
18. (a) That the owners enter into agreements satisfactory to the Commissioner of Transportation/Environment Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
- (b) That the Mayor and City Clerk be authorized to sign and execute all necessary documents to implement these agreements.

- (c) That the first year fee and subsequent annual fee outlined in schedule "A" be set for these encroachments.

19. That City Traffic **By-Law 89-72** be amended as follows:

- (a)
 - i. That east and westbound traffic on Sanatorium Road be required to stop at the intersections of West 22nd Street, West 24th Street, West 26th Street and West 32nd Street.
 - ii. That the City Council recommend to the Regional Council that a traffic signal not be installed at the intersection of Sanatorium Road and Garth Street at this time; and
- (b) That northbound traffic on Oak Avenue be required to stop for eastbound and westbound traffic on Birge Street; and
- (c) That eastbound traffic on Northgate Drive be required to stop for northbound and southbound traffic on Moxley Drive; and
- (d)
 - i. That four-way stop control be implemented at the intersection of Dundonald Avenue and Erindale Avenue; and
 - ii. That northbound traffic on Aberfoyle Avenue be required to stop for eastbound and westbound traffic on Montrose Avenue; and
- (e) That three-way stop control be implemented at the intersection of Kentley Drive and Nugent Drive; and
- (f) That a "No Stopping" regulation be implemented on the west side of Dunn Avenue commencing at Brampton Street and extended to a point 75 feet northerly therefrom; and
- (g) That a "Two Hour Parking Time Limit, 7:00 a.m. to 9:00 p.m., seven days a week" regulation be implemented on the south side of Maplewood Avenue between Lorne Avenue and Norway Avenue; and
- (h) That the existing "One Hour Parking Time Limit, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation and "Alternate Side Parking" regulation on West 35th Street between Bendamere Avenue and the south end be replaced with a "No Parking, 9:00 a.m. to 5:00 p.m., Monday to Friday" regulation on both sides of the street; and

- (i)
 - i. That the existing "Permit Parking" regulation on the south side of Colbourne Street between MacNab Street and Severn Street be shortened such that the regulation commences at a point 94 feet east of MacNab Street and extends to Severn Street; and
 - ii. That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the south side of Colbourne Street commencing at MacNab Street and extending to a point 94 feet easterly therefrom; and
 - iii. That the maximum number of permits to be issued to residents of Colbourne Street between MacNab and Severn Streets be reduced from six to three; and
- (j) That parking be permitted on the west of Mount Albion Road between Kingswood Drive and a point 165 feet south of Glencastle Drive between the hours of 7:00 a.m. and 2:00 a.m. on Saturdays and Sundays; and
- (k)
 - i. That the existing "Two Hour Parking Time Limit, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation on the west side of West 34 Street from Bendamere Avenue to a point 333 feet northerly therefrom be extended such that the regulation extends to a point 456 feet north of Bendamere; and
 - ii. That the existing "Two Hour Parking Time Limit, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation on the east side of West 34 Street from Bendamere Avenue to a point 330 feet northerly therefrom be extended such that the regulation extends to a point 463 feet north of Bendamere; and
- (l) That the existing one hour parking time limit in the meters on the north side of Jackson Street East between Catharine Street and Walnut Street be replaced with a two hour parking time limit; and
- (m) That the existing "No Stopping, Wheelchair Loading Only, 10:00 a.m. to 6:30 p.m., 7 days a week" regulation on the east side of East 22nd Street commencing at a point 321 feet north of Fennell Avenue and extending to a point 25 feet northerly therefrom, be revised such that the regulation is in effect from 10:00 a.m. to 8:00 p.m., seven days a week; and

- (n) That a "No Stopping", 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on the east side of East 25th Street commencing at Franklin Road and extending to a point 90 feet southerly therefrom; and
- (o)
 - i. That stopping prohibited on the east side of Templemead Drive from Everest Street to a point 82 feet northerly therefrom; and
 - ii. That stopping be prohibited on the east side of Templemead Drive from Everest Street to a point 64 feet southerly therefrom; and
- (p) That a "No Stopping" corner clearance be implemented on the north side of Dallas Avenue commencing at East 36th Street and extending to a point 49 feet easterly therefrom; and
- (q) That a "No Stopping" corner clearance be implemented on the north side of Main Street East commencing at Delena Avenue and extending to a point 111 feet westerly therefrom; and
- (r)
 - i. That Glencarry Avenue be operated one-way southerly from King Street East to a point 94 feet northerly therefrom; and
 - ii. That stopping be prohibited on the east side of Glencarry Avenue from King Street East to a point 114 feet northerly therefrom; and
 - iii. That stopping be prohibited on the west side of Glencarry Avenue from King Street East to a point 124 feet northerly therefrom; and
- (s) That in accordance with the request by the Hamilton Street Railway Company the following bus stop relocation be approved:

Route 4 Bayfront/Nash

Southbound - Quigley Road, west side, from 104 feet south of the south curb line of Albright Road (F/S) to 49 feet north of the north curb line of Albright Road (N/S).

- 20. (a) That, in accordance with Section 70 of the Police Act, the following persons be appointed as Parking Control Officers:

Mr. Uriel Thompson
Mr. Laurence Cardinal

- (b) That the previous list of personnel appointed as Parking Control Officers be revised by deleting the following names:

Mr. John Tyne
Mr. Jack Anthony

- 21. (a) That the School Crossing Guard presently located at the intersection of Burlington Street and Niagara Street be relocated to Burlington Street and Hillyard Street, subject to the installation of a traffic signal at the intersection of Burlington Street and Hillyard Street; and
 - (b) That the Engineering Services Committee of the Regional Council be so advised.
22. That the following recommendations be forwarded to the Ministry of Transportation, Ontario for consideration in the review of the provincial policy on bicycles:
- (a) That the Ministry of Transportation of Ontario undertake studies and review background data to ascertain on a general basis the effects of promoting increased bicycle ridership of different types. Factors to be considered should include public health, roadway safety, energy, mobility and other related matters. The studies should consider the cost/benefit economics of allocating funds to bicycle facilities; and
 - (b) That the Ministry of Transportation of Ontario consider providing subsidy for municipalities to undertake detailed studies specific to bicycle usage such as ascertaining the degree to which such usage will benefit municipalities, how to best promote increased bicycle use or planning for new facilities; and
 - (c) That the Ministry of Transportation consider revising the existing policy to consider provision of paved shoulders for bicycle use on low-volume highways other than limited-access facilities, subject to criteria to be developed for selection and design; and
 - (d) That, to encourage the development of bicycle facilities such as off-street bicycle paths or wider curb lanes within the municipalities, the Ministry of Transportation consider provision of subsidy for the construction and maintenance of such facilities; and

- (e) That the initiative of the Ministry of Transportation of Ontario to pass a mandatory helmet use law be supported, based on the understanding that such a law and the associated cost to cyclists is warranted as (a) the statistical information indicates that such a law will prevent cyclist injuries and (b) adequate enforcement can be achieved; and
- (f) That the Ministry of Transportation adopt a coordinating role to ensure continuity of bicycle routes between adjacent municipalities throughout the Province and consider the creation of a full-time staff position for this duty; and
- (g) That, to encourage commuter cycling, the Province of Ontario consider the feasibility of providing subsidy for employers, schools, etc. who provide secure, weather-proof bicycle storage facilities and/or new or improved change and shower facilities at their establishments; and
- (h) That, where review indicates the need, new or additional educational programs should be developed and implemented in the areas of: helmet use; off-street riding skills; on-street cyclist laws and riding skills; and motor vehicle driver awareness of cyclist rights.

23. That leave be granted to introduce the following Bills:

- (a) **Bill A-49** By-law to Alter Sanatorium Road From West 21st Street to Garth Street
- (b) **Bill A-50** By-law to Authorize the Sale of the Closed Portions of the First East/West Alleyway South of Main Street East Between Balmoral Avenue and Grosvenor Avenue, Registered Plan No. 586 Designated as Parts 2, 3, 5, 6, 8, and 9 on Plan 62R-10227.
- (c) **Bill A-51** By-law to Authorize the Sale of the Closed Portions of the First East/West Alleyway South of Concession Street Between East 39th and East 38th Street, Registered Plan 444 Designated as Parts 1, 2, 3, and 4 on Plan 62R-11097.
- (d) **Bill A-52** By-law to Incorporate Parts 1, 2, 3, 4, 5 and 12, Plan 62R-11790 Into DiCenzo Drive.

- (e) **Bill A-53** By-law to Amend By-Law 89-72 to Regulate Traffic.
- (f) **Bill A-54** By-law to Amend By-Law 89-72 to Regulate Traffic.

RESPECTFULLY SUBMITTED,

T. Agnello
Secretary

**ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE**

July 25, 1991

Ref: C14-9-91

NOTE: GST IS EXTRA AT 7% TO ALL PRICES

EQUIPMENT AND LABOUR FOR SNOW REMOVAL 1991-92, 1992-93, 1993-94

1) TRUCK MOUNTED SNOW PLOWS, COMPLETE WITH SNOW WING

	Number of Units	Owned	Non-Owned	Make/Model/Year	HOURLY RATE PER TERM			
					Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94	
HS&M Landscape & Maintenance Div. of Mikori Investments Inc. 1492 Wallace Road Oakville, Ontario L6L 2Y2	1			17' with Wing 35,000 Single axle Ford 8000 1981	\$ 95.00	\$105.00	\$115.00	
All Around Contracting 1-473 Melvin Avenue Hamilton, Ontario L8H 2L8	1			8' blade 1 ton pickup, single axle, '83 Dodge	\$ 45.00	\$ 48.00	\$ 52.00	
Greco Bobcat Service & Concrete 6 Valora Court Hamilton, Ontario L8E 4S5	1			7' blade under 46,000 kg. single axle, 1980 GMC	\$45.00	\$46.00	\$48.00	
E. Woytkiw Haulage Ltd. P.O. Box 235 Hannon, Ontario L0R 1P0	1			12' wing, single axle 17,500 GVW, 1983 Int. Model 2010A	\$ 70.00	\$ 75.00	\$ 80.00	
	1			14' one way plow 17,500 GVW, 1983 Int. Model 2010A	\$ 70.00	\$ 75.00	\$ 80.00	

APPENDIX "A" as referred to in Section 7 of the TENTH Report of the Transport and Environment Committee

1) TRUCK MOUNTED SNOW PLOWS, COMPLETE WITH SNOW WING Cont'd.

	Number of Units		Make/Model/Year	HOURLY RATE PER TERM		
	<u>Owned</u>	<u>Non-Owned</u>		Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94
Alan Heley 43 Jamie Ann Court Hamilton, Ontario L8W 1Y3		10	8' Blade	\$ 46.00	\$ 46.00	\$ 48.00
Advance Excavating 505 Kenora Avenue, Bldg. #1 Hamilton, Ontario L8E 3P2		1	10' Blade, single axle, 14,000 GVW Ford L800 1980	\$ 50.00	\$ 53.00	\$ 57.00
		1	10' Blade, Tandem 29,000 GVW Int. 2500 1979	\$ 50.00	\$ 53.00	\$ 57.00

2) MOTOR GRADER MOUNTED SNOW PLOW & WING:

A) HOURLY RATE PER TERM based on Start up cost of \$2,000 paid \$500 and \$1,500 as per Page 4, Item 4. Standby Time a)

	Number of Units	Owned	Non-Owned	Make/Model/Year	HOURLY RATE PER TERM			
					Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94	
F & S Excavating Ltd. 9 Tamarack Place Stoney Creek, Ontario L8N 2M7	Did not specify - 1			6' Blade, 1990 Toyota 4X4	\$ 43.00	\$ 43.00	\$ 43.00	
	Did not specify - 1			6' Blade, 1988 GMC	\$ 43.00	\$ 43.00	\$ 43.00	

B) HOURLY RATE PER TERM based on number of hours used with NO START UP COST as per Page 5, Item 4. Standby Time b)

	Number of Units	Owned	Non-Owned	Make/Model/Year	HOURLY RATE PER TERM			
					Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94	
King Paving & Materials Co. Div. of KPM Industries Ltd. 3385 Harvester Road Burlington, Ontario L7R 3Y5	1			14' Blade Unit 1704 1969 Champion	\$104.00	\$106.00	\$108.00	
	1			13' Blade Unit 1706 1970 Champion	\$104.00	\$106.00	\$108.00	
	1			13' Blade Unit 1707 1971 Champion	\$104.00	\$106.00	\$108.00	
Delmar Contracting Limited 696 Arvin Avenue Fruitland, Ontario L0R 1L0	2			14' Blade Cat 140G	\$154.21	\$158.88	\$163.55	

2) MOTOR GRADER MOUNTED SNOW PLOW & WING:

C) HOURLY RATE PER TERM based on Start up cost of \$2,000 paid \$1,000 and \$1,000 as per Page 5, Item 4. Standby Time c)

	Number of Units Owned	Non-Owned	Make/Model/Year	HOURLY RATE PER TERM			
				Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94	GST extra
Digit Contractors Ltd. R. R. #2 Binbrook, Ontario L0R 1C0	1		1978 13'6" Blade Champion 740	\$145.00	\$150.00	\$155.00	
Black Top Enterprises Limited 93 Main Street South Hagersville, Ontario N0A 1H0	1		1975 602-T Champion	\$135.00	\$140.00	\$145.00	
			1968 562-T Champion	\$135.00	\$140.00	\$145.00	
All Around Contracting 1-473 Melvin Avenue Hamilton, Ontario L8H 2L8	1		13' Blade Double Axle, 1978 Champion 740	\$135.00	\$145.00	\$152.00	
Bill Price Grader Rentals R. R. #1 Smithville, Ontario L0R 2A0		1	13' Blade, Single Axle, 1966 Austin Western	\$155.00	\$165.00	\$175.00	
		1	13' Blade, Single Axle, 1968 Austin Western	\$155.00	\$165.00	\$175.00	

2) MOTOR GRADER MOUNTED SNOW PLOW & WING:

C) HOURLY RATE PER TERM based on Start up cost of \$2,000 paid \$1,000 and \$1,000 as per Page 5, Item 4. Standby Time c) - Cont'd.

	Number of Units		Make/Model/Year	HOURLY RATE PER TERM		
	Owned	Non-Owned		Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94
Danbill Equipment Rental Ltd. 12 Whittaker Avenue Grimsby, Ontario L3M 3J1	1		14' Blade 1974 Champion 600	\$147.00	\$154.35	\$162.06
Advance Excavating 505 Kenora Avenue, Bldg. #1 Hamilton, Ontario L8E 3P2	1		12' Blade Champion 562 1967	\$140.00	\$148.00	\$157.00

3) MOTOR GRADER ONLY:

A) HOURLY RATE PER TERM based on Start up cost of \$2,000 paid \$500 and \$1,500 as per Page 4, Item 4. Standby Time a)

NO BIDS

B) HOURLY RATE PER TERM based on number of hours used with NO START UP COST as per Page 5, Item 4. Standby Time b)

	Number of Units	Owned	Non-Owned	Make/Model/Year	HOURLY RATE PER TERM			
					Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94	
King Paving & Materials Co. Div. of KPM Industries Ltd. 3385 Harvester Road Burlington, Ontario L7R 3Y5	1	1		14' Blade Unit 1705 1969 Champion	\$104.00	\$106.00	\$108.00	
				13' Blade Unit 1708 1973 Champion	\$104.00	\$106.00	\$108.00	
				13' Blade Unit 1709 1973 Champion	\$104.00	\$106.00	\$108.00	
JDR Tools & Equipment 495 Arvin Avenue Stoney Creek, Ontario L8E 2N1	1	1		Champion 740	\$ 90.00	\$ 94.00	\$ 98.00	
Delmar Contracting Limited 696 Arvin Avenue Fruitland, Ontario L0R 1L0	2	2		14' Blade Cat 140G	\$154.21	\$158.88	\$163.55	

3) MOTOR GRADER ONLY:

C) HOURLY RATE PER TERM based on Start up cost of \$2,000 paid \$1,000 and \$1,000 as per Page 5, Item 4. Standby Time c)

	Number of Units		Make/Model/Year	HOURLY RATE PER TERM			
	Owned	Non-Owned		Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94	
Sisson Construction Limited o/a Quigley Contracting 185 Hendershott Road, P.O. Box 178 Hannon, Ontario L0R 1P0	1 1 1 2 1		12' Blades Double Axles Cat. Model 14 Cat. Model 112 Adams Model 330 Adams 440 Champion 562	\$118.00	\$126.00	\$135.00	
Digit Contractors Ltd. R. R. #2 Binbrook, Ontario L0R 1C0	1 1 1		13'6" Blade 1961 Cat. 12 1962 Champion 1972 Champion 1962 Champion	\$125.00	\$130.00	\$135.00 *	GST extra
Black Top Enterprises Limited 93 Main Street South Hagersville, Ontario N0A 1H0	1		1960 Cat 12	\$125.00	\$130.00	\$135.00	
Wm. Groves Limited 800 Rennie Street Hamilton, Ontario L8H 3R2	1		13' with front blade, 1981 Dodge D600	\$118.00	\$130.00	\$143.00	

3) MOTOR GRADER ONLY: Cont'd.

C) HOURLY RATE PER TERM based on Start up cost of \$2,000 paid \$1,000 and \$1,000 as per Page 5, Item 4. Standby Time c)

	Number of Units	Owned	Non-Owned	Make/Model/Year	HOURLY RATE PER TERM			
					Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94	
All Around Contracting 1-473 Melvin Avenue Hamilton, Ontario L8H 2L8	1			13' Blade Double Axle, 1978 Champion 740	\$120.00	\$125.00	\$135.00	
Bill Price Grader Rentals R. R. #1 Smithville, Ontario L0R 2A0	1			12' Blade Double Axle 1968 Cat 8T 1974 Cat 99E 1981 Cat 82V 1972 Cat 70D 1973 Cat 70D	\$127.50	\$135.00	\$142.50	
Danbill Equipment Rental Ltd. 12 Whittaker Avenue Grimsby, Ontario L3M 3J1	1			14' Blades 1980 Champion 562 1968 Champion 562 1968 Champion 560 1972 Wabco 666B	\$128.40	\$137.38	\$146.99	
Workman Excavating 849 Butter Road Ancaster, Ontario L9G 3L1	1			12', 4X4 15 Ton, M.F. 1805 1978	\$104.00	\$108.00	\$112.00	

3) MOTOR GRADER ONLY: Cont'd.

C) HOURLY RATE PER TERM based on Start up cost of \$2,000 paid \$1,000 and \$1,000 as per Page 5, Item 4. Standby Time c)

	Number of Units		<u>Make/Model/Year</u>	<u>HOURLY RATE PER TERM</u>			
	<u>Owned</u>	<u>Non-Owned</u>		<u>Nov. '91 to April '92</u>	<u>Nov. '92 to April '93</u>	<u>Nov. '93 to April '94</u>	
Advance Excavating	1		12' Blade				
505 Kenora Avenue, Bldg. #1			Cat 12 1969				
Hamilton, Ontario L8E 3P2	1		13' Blade				
			Cat 14 1965				
	1		13' Blade				
			Wabco 666 1964				
				\$129.00	\$137.00	\$145.00	

4) TANDEM REAR AXLE DUMP TRUCKS

	Number of Units		Make/Model/Year	HOURLY RATE PER TERM			
	Owned	Non-Owned		Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94	
Gordon E. Cooper 545 Barnaby Street Hamilton, Ontario L8H 6T8	4		16 yds. Double Axle See list	\$ 44.50	\$ 46.00	\$ 46.50	
Douglas H. Hawkes o/a Lakeview Haulage 54 Seabreeze Crescent Fruitland, Ontario L0R 1L0	4		16 yds. Double Axle See list	\$ 42.00	\$ 43.00	\$ 44.00	
L.M. Enterprises 714794 Ontario Limited 27 Crooks Street Hamilton, Ontario L8R 2Z7	5	6	All 16 yds. except one 14 yd., Double Axles See List	\$ 43.00	\$ 44.00	\$ 45.00	
Black Top Enterprises Limited 93 Main Street South Hagersville, Ontario N0A 1H0	2		14 yds., ³ Double Axle, Int. 1978 Ford 1978	\$ 42.00	\$ 43.00	\$ 44.00	
Keldi Enterprise 2075 Nebo Road, R. R. #2 Mount Hope, Ontario	1	8	20 yds. Double Axle See List	\$ 43.00	\$ 45.00	\$ 47.00 • plus taxes	
Leo Stremble 802 Highway #97, R. R. #3 Puslinch, Ontario N0B 2J0	1		20 yds. Double Axle Ford 8000 1988	\$ 46.00	\$ 48.00	\$ 50.00	

4) TANDEM REAR AXLE DUMP TRUCKS Cont'd.

	<u>Number of Units</u>		<u>Make/Model/Year</u>	<u>HOURLY RATE PER TERM</u>			
	<u>Owned</u>	<u>Non-Owned</u>		<u>Nov. '91 to April '92</u>	<u>Nov. '92 to April '93</u>	<u>Nov. '93 to April '94</u>	
775686 Ont. Inc. o/a Tri-R-Trucking 500 Green Road North, Unit #801 Stoney Creek, Ontario L8E 3M6 4	3		3 - 16 yds., 4 - 8 yds. Double Axles See List	\$ 44.00	\$ 46.00	\$ 48.00	
All Around Contracting 1-473 Melvin Avenue Hamilton, Ontario L8H 2L8	1		18 yds. Double Axle 1979 Ford 8000 1980 Mack DMM	\$ 46.00	\$ 50.00	\$ 55.00	
JDR Tools & Equipment 495 Arvin Avenue Stoney Creek, Ontario L8E 2N1 3	3		16 yds. Double Axle See List	\$ 45.00	\$ 48.00	\$ 51.00	
Stockford Haulage 60 Edith Avenue Hamilton, Ontario L8T 4H2	1		24 yds. Double Axle Int. 2674 1983	\$ 38.00	\$ 38.00	\$ 38.00	
J & R Trucking 6285 Regional Road 13, P.O. Box 52 Binbrook, Ontario L0R 1C0	1		19 yds. Double Axle 1989 Ford 8000	\$ 46.00	\$ 48.00	\$ 50.00	

4) TANDEM REAR AXLE DUMP TRUCKS Cont'd.

	<u>Number of Units</u>		<u>Make/Model/Year</u>	<u>HOURLY RATE PER TERM</u>			
	<u>Owned</u>	<u>Non-Owned</u>		<u>Nov. '91 to April '92</u>	<u>Nov. '92 to April '93</u>	<u>Nov. '93 to April '94</u>	
Alfonsi Haulage 307 Huxley Avenue South Hamilton, Ontario L8K 2R5	1		17 yds. Double Axle 1980 Int. 51900	\$ 43.00	\$ 44.00	\$ 45.00	
Mike Smrka 118 Main Street North Waterdown, Ontario L0R 2H0	1		16-1/2 yds. Double Axle 1989 Ford L8000	\$ 43.00	\$ 44.00	\$ 45.00	
Alan Heley 43 Jamie Ann Court Hamilton, Ontario L8W 1Y3	7		18 yds.	\$ 46.00	\$ 46.00	\$ 48.00	
Cardi Construction Limited 24 Garden Avenue Stoney Creek, Ontario L8E 2Y9	15		See List	\$ 45.00	\$ 45.00	\$ 45.00	
David Flegg c.o.b. Flegg's Haulage 38 Benson Avenue Hamilton, Ontario L8H 3M9	1		16.2 yds. Double Axle, 1990 Kenworth T450	\$ 47.00	\$ 48.00	\$ 49.00	
Molisan Construction Company Limited 40 Hildegard Drive Hamilton, Ontario L8K 5R9	1		14 cu.yds. Double Axle 1988 Ford 8000	\$ 47.00	\$ 49.00	\$ 51.00	plus GST

4) TANDEM REAR AXLE DUMP TRUCKS Cont'd.

	Number of Units		Make/Model/Year	HOURLY RATE PER TERM			
	Owned	Non-Owned		Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94	
Delmar Contracting Limited 696 Arvin Avenue Fruitland, Ontario L0R 1L0	10		14 cu.yds. Double Axle See List	\$ 51.40	\$ 56.07	\$ 60.75	
Advance Excavating 505 Kenora Avenue, Bldg. #1 Hamilton, Ontario L0E 3P2	16	5	15 cu.yds. Double Axle See List	\$ 48.00	\$ 52.00	\$ 56.00	
Pasinato Haulage Ltd. 213 Stone Church Road West Hamilton, Ontario L9B 1A2		50		\$ 41.00	\$ 42.00	\$ 44.00	
758565 Ontario Limited o/a Mountainview Excavating 908 Ridge Road East Vinemount, Ontario L0R 2G0	1		16 yard Double Axle GMC 1978	\$ 43.00	\$ 44.00	\$ 45.00	
J & M Caucci Concrete Ltd. 38 Cherryridge Close Hamilton, Ontario L8G 4X3	1		18 yards Double Axle Ford 1989	\$ 51.00	\$ 52.00	\$ 53.00	
E. Woytkiw Haulage Ltd. P.O. Box 235 Hannon, Ontario L0R 1P0	40		18 cu.yds. Double Axle See List	\$ 47.00	\$ 49.00	\$ 51.00	

4) TANDEM REAR AXLE DUMP TRUCKS Cont'd.

	Number of Units Owned	Non-Owned	Make/Model/Year	HOURLY RATE PER TERM			
				Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94	
G.F. Mason Excavating P.O. Box 6 Fruitland, Ontario L0R 1L0	3		18 cu.yds. Double Axle See List	\$ 47.00	\$ 49.35	\$ 51.80	
Greco Bobcat Service 6 Valore Court Hamilton, Ontario L8E 4S5	2		16 yard Double Axle See List	\$ 49.00	\$ 50.00	\$ 51.00	
Tony & Paul Concrete 6 Hewitson Road Stoney Creek, Ontario L8E 2T4	2		16 & 18 yards Double Axle See List	\$ 51.00	\$ 52.00	\$ 53.00	
D. Swing Trucking P.O. Box 193 Hannon, Ontario L0R 1P0	2	4	Various yardages Double Axle See List	\$ 42.00	\$ 44.00	\$ 46.00	
Puglisi & Son Haulage Ltd. 524 Upper Kenilworth Avenue Hamilton, Ontario L8T 4H2	2	6	15 ft. Double Axles See List	\$ 44.00	\$ 46.00	\$ 48.00	
Roma Concrete & Paving 2 Hewitson Road Stoney Creek, Ontario L8E 2T4	2		16 cu.yds. Double Axles See List	\$ 51.00	\$ 52.00	\$ 53.00	

5) RUBBER TIRE LOADERS

Number of Units
Owned Non-Owned Size of Bucket

HOURLY RATE PER TERM
Nov. '91 to Nov. '92 to Nov. '93 to
April '92 April '93 April '94

Molisan Construction Company Limited
40 Hildegard Drive
Hamilton, Ontario L8K 5R9 1 1989 Ford 655
1-1/4 cu.yds.

\$ 52.00	\$ 54.00	\$ 56.00 • plus GST
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Cardeen Construction Limited
11 Garden Avenue, Unit #8
Stoney Creek, Ontario L8E 2Y8 8 See List

\$106.00	\$109.00	\$114.00
\$ 66.00	\$ 69.00	\$ 74.00
\$ 71.00	\$ 74.00	\$ 79.00

Cardi Construction Limited
24 Garden Avenue
Stoney Creek, Ontario L8E 2Y9 5 See List

\$ 52.00	\$ 55.00	\$ 60.00
\$ 45.00	\$ 46.00	\$ 47.00
\$103.00	\$105.00	\$107.00

Alan Heley
43 Jamie Ann Court
Hamilton, Ontario L8W 1Y3 4 1.5 yd.

\$ 57.00	\$ 57.00	\$ 58.00
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O. Ciccarella & Son Contracting
807 Highway 53 East, R. R. #1
Ancaster, Ontario L9G 3K9 1 '89 Caterpillar
2.5 yd.³

\$ 75.00	\$ 77.00	\$ 79.00
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Workman Excavating
849 Butter Road
Ancaster, Ontario L9G 3L1 2 1-1/2 yd.³

\$ 62.00	\$ 64.00	\$ 66.00
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5) RUBBER TIRE LOADERS Cont'd.

	Number of Units		Size of Bucket	HOURLY RATE PER TERM			
	Owned	Non-Owned		Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94	
Bill Price Grader Rentals R. R. #1 Smithville, Ontario L0R 2A0	1	1	1-1/2 yd.	\$ 55.00	\$ 57.50	\$ 60.00	
R.C.M. Contracting Ltd. 54 Pleasant Avenue Hamilton, Ontario L9C 4M7	4		1-1/2 yds.	\$ 44.86	\$ 46.73	\$ 48.60	
JDR Tools & Equipment 495 Arvin Avenue Stoney Creek, Ontario L8E 2N1	10		3 yard 1-1/4 yard	\$ 85.00 \$ 55.00	\$ 90.00 \$ 58.00	\$ 95.00 \$ 61.00	
Mountsberg Excavating Inc. 1554 Old Highway 99, R. R. #3 Dundas, Ontario L9H 5E3	3		1-1/2 yard	\$ 65.00	\$ 67.50	\$ 70.00	
All Around Contracting 1-473 Melvin Avenue Hamilton, Ontario L8H 2L8	1		1 m ³	\$ 56.00	\$ 60.00	\$ 65.00	
775686 Ont. Inc. o/a Tri-R-Trucking 500 Green Road North, Unit #801 Stoney Creek, Ontario L8E 3M6	2		1-1/2 Bucket	\$ 48.00	\$ 50.00	\$ 52.00	

5) RUBBER TIRE LOADERS Cont'd.

	Number of Units Owned	Non-Owned	Size of Bucket	HOURLY RATE PER TERM			
				Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94	
Angel Excavating Ltd. 420 Highway #8 Stoney Creek, Ontario L8G 1G2 1			1-1/2 yard	\$ 52.00	\$ 54.00	\$ 56.00	
F & S Excavating Ltd. 9 Tamarack Place Stoney Creek, Ontario L8N 2M7 2			2 yards	\$ 45.00	\$ 45.00	\$ 45.00	
Wm. Groves Limited 800 Rennie Street Hamilton, Ontario L8H 3R2 1			1-1/2 yards	\$ 83.00	\$ 91.00	\$ 100.00	
Keldi Enterprise 2075 Nebo Road, R. R. #2 Mount Hope, Ontario	3		1-1/4 yards ³	\$ 55.00	\$ 57.00	\$ 59.00	
L.M. Enterprises 714794 Ontario Limited 27 Crooks Street Hamilton, Ontario L8R 2Z7 2			1-1/2 yards	\$ 55.00	\$ 55.00	\$ 57.00	
William Spear 161 Allenby Hamilton, Ontario L9A 2T6 1			1-1/4 yards ³	\$ 55.00	\$ 57.75	\$ 60.55	

5) RUBBER TIRE LOADERS Cont'd.

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	Number of Units Owned	Non-Owned	Size of Bucket	HOURLY RATE PER TERM			
				Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94	
Delmar Contracting Limited 696 Arvin Avenue Fruitland, Ontario L0R 1L0	4		4 yards	\$107.48	\$112.15	\$116.82	
Advance Excavating 505 Kenora Avenue, Bldg. #1 Hamilton, Ontario L0E 3P2	2		1-1/2 yard ³	\$ 60.00	\$ 64.00	\$ 68.00	
	6		1-1/2 yard ³	\$ 78.00	\$ 83.00	\$ 88.00	
Digmor Excavating Ltd. 120 Second Road West Stoney Creek, Ontario L8G 3X4	1		1-1/2 yard	\$ 54.00	\$ 56.00	\$ 58.00	
Pasinato Haulage Ltd. 213 Stone Church Road West Hamilton, Ontario L9B 1A2		1	Front Blower 1-1/2 yd.	\$ 55.00	\$ 56.00	\$ 58.00	
Bill Wilcockson Trenching 182 East 19th Street Hamilton, Ontario L9A 4S5	1		1-1/2 yards	\$ 57.50	\$ 58.50	\$ 59.50	
758565 Ontario Limited o/a Mountainview Excavating 908 Ridge Road East Vinemount, Ontario L0R 2G0		2	Various sizes 24"	\$ 55.00	\$ 57.00	\$ 59.00	

5) RUBBER TIRED LOADERS Cont'd.

	Number of Units		Size of Bucket	HOURLY RATE PER TERM			
	Owned	Non-Owned		Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94	
J & M Caucci Concrete Ltd. 38 Cherryridge Close Hamilton, Ontario L8G 4X3	1		1 yard	\$ 57.00	\$ 58.00	\$ 59.00	
E. Woytkiw Haulage Ltd. P.O. Box 235 Hannon, Ontario L0R 1P0	15		3 yard ³ 1.5 yard ³	\$ 92.00 \$ 62.00	\$ 97.00 \$ 67.00	\$ 102.00 \$ 72.00	
G.F. Mason Excavating P.O. Box 6 Fruitland, Ontario L0R 1L0	1 3		3-1/2 yd.Bucket 1-1/8 yd.Bucket	\$ 85.00 \$ 58.00	\$ 89.25 \$ 61.00	\$ 93.70 \$ 64.00	
Greco Bobcat Service 6 Valore Court Hamilton, Ontario L8E 4S5	1		1 Yard	\$ 59.00	\$ 60.00	\$ 61.00	
Tony & Paul Concrete 6 Hewitson Road Stoney Creek, Ontario L8E 2T4	1		1 Yard	\$ 57.00	\$ 58.00	\$ 59.00	
D. Swing Trucking P.O. Box 193 Hannon, Ontario L0R 1P0		2	1-1/2 yds.	\$ 46.00	\$ 48.00	\$ 50.00	

5) RUBBER TIRE LOADERS Cont'd.

	<u>Number of Units</u>		<u>Size of Bucket</u>	<u>HOURLY RATE PER TERM</u>			
	<u>Owned</u>	<u>Non-Owned</u>		<u>Nov. '91 to April '92</u>	<u>Nov. '92 to April '93</u>	<u>Nov. '93 to April '94</u>	
Roma Concrete & Paving 2 Hewitson Road Stoney Creek, Ontario L8E 2T4	1		1 Yard	\$ 57.00	\$ 58.00	\$ 59.00	

6) WHEELED SIDEWALK CLEANER WITH BLADE LESS THAN 5'

	Number of Units		Size of Blade	HOURLY RATE PER TERM			
	Owned	Non-Owned		Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94	
Artek 617180 (Wayne Gater) 250 Kemp Road West Grimsby, Ontario L3M 4E7	5		5'	\$ 58.00	\$ 61.00	\$ 64.00	
O. Ciccarelli & Son Contracting 807 Highway 53 East, R.R. #1 Ancaster, Ontario L9G 3K9	1 1		48" 60"	\$ 45.00	\$ 46.00	\$ 47.00	
Workman Excavating 849 Butter Road Ancaster, Ontario L9G 3L1	1	1	4' Blade or Snowblower 5'	\$ 62.00	\$ 64.00	\$ 66.00	
R.C.M. Contracting Ltd. 54 Pleasant Avenue Hamilton, Ontario L9C 4M7	2		4-1/2' bucket	\$ 41.12	\$ 42.99	\$ 44.86	
JDR Tools & Equipment 495 Arvin Avenue Stoney Creek, Ontario L8E 2N1	1			\$ 52.00	\$ 55.00	\$ 58.00	
Harold J. Martin o/a Crescan Landscape Contractors P.O. Box 4056, Station D Hamilton, Ontario L8V 4L5	2	1	See List	\$ 50.00	\$ 54.00	\$ 58.00	

6) WHEELED SIDEWALK CLEANER WITH BLADE LESS THAN 5' Cont'd. - 22 -

	Number of Units		Size of Blade	HOURLY RATE PER TERM			
	Owned	Non-Owned		Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94	
775686 Ont. Inc. o/a Tri-R-Trucking 500 Green Road North, Unit #801 Stoney Creek, Ontario L8E 3M6	1		60"				
				\$ 44.00	\$ 45.00	\$ 46.00	
Keldi Enterprise 2075 Nebo Road, R. R. #2 Mount Hope, Ontario	1	1	4'11"				
				\$ 45.00	\$ 47.00	\$ 49.00	
HS&M Landscape & Maintenance Div. of Mikori Investments Inc. 1492 Wallace Road Oakville, Ontario L6L 2Y2	1 1 1		48" or 60" 48" 32"	\$ 38.00 \$ 30.00 \$ 25.00	\$ 42.00 \$ 34.00 \$ 28.00	\$ 47.00 \$ 38.00 \$ 30.00	
851694 Ontario Inc. o/a Battlefield Bobcat Service 367 Hemlock Avenue Stoney Creek, Ontario L8E 2C9	2		59"				
				\$ 46.00	\$ 47.00	\$ 48.00	
William Spear 161 Allenby Hamilton, Ontario L9A 2T6	1		4'11"				
				\$ 45.00	\$ 47.25	\$ 49.65	

6) WHEELED SIDEWALK CLEANER WITH BLADE LESS THAN 5' Cont'd. - 23 -

	Number of Units Owned	Non-Owned	Size of Blade	HOURLY RATE PER TERM			
				Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94	
Bill's Snow Plowing 80 Robinson Street, Suite 203 Hamilton, Ontario L8P 1Z1	2		4'8" Blade and Bucket	\$ 50.00	\$ 50.00	\$ 53.00	
Triple "G" Fencing & Landscaping 1592 Upper Gage Hamilton, Ontario L8W 1E7	2		Skid Steer Loaders Bucket or Blade 54" & 60"	\$ 48.00	\$ 49.00	\$ 50.00	
Sunset Landscape Construction Ltd. P.O. Box 7045 Ancaster, Ontario L9G 3L3	2		54"-60"	\$ 48.00	\$ 52.00	\$ 56.00	
E. Woytkiw Haulage Ltd. P.O. Box 235 Hannon, Ontario L0R 1P0	20		Blade & Bucket 54"-60"	\$ 60.00	\$ 65.00	\$ 70.00	
Greco Bobcat Service 6 Valore Court Hamilton, Ontario L8E 4S5	1		5'	\$ 51.00	\$ 52.00	\$ 53.00	

7) WHEELED SIDEWALK CLEANER WITH BLOWER

	<u>Number of Units</u>		<u>Size of Bucket</u>	<u>HOURLY RATE PER TERM</u>		
	<u>Owned</u>	<u>Non-Owned</u>		<u>Nov. '91 to April '92</u>	<u>Nov. '92 to April '93</u>	<u>Nov. '93 to April '94</u>
E. Woytkiw Haulage Ltd. P.O. Box 235 Hannon, Ontario L0R 1P0		20	8' Blade, V8 4X4 Trucks	\$ 49.00	\$ 53.00	\$ 57.00

8) TRACK SIDEWALK CLEANER WITH BLADE LESS THAN 5'

		Number of Units		Size of Bucket	HOURLY RATE PER TERM			
		Owned	Non-Owned		Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94	
Benny Haulage Limited 66 Hillyard Street Hamilton, Ontario L8L 6B4		1		1978 5'	\$ 68.00	\$ 73.00	\$ 78.00	
741806 Ont. Inc. o/a Blizzard Snow Plowing 669 Beach Blvd. Hamilton, Ontario L8H 6X8		1		1974 48"	\$ 50.00	\$ 52.00	\$ 55.00	
Bill's Snow Plowing 80 Robinson Street, Suite 203 Hamilton, Ontario L8P 1Z1		3		1974/5 4'8"	\$ 50.00	\$ 50.00	\$ 53.00	
E. Woytkiw Haulage Ltd. P.O. Box 235 Hannon, Ontario L0R 1P0		4		54"	\$ 68.00	\$ 73.00	\$ 78.00	

9) TRACK SIDEWALK CLEANER WITH BLOWER NO BIDS

10) MISCELLANEOUS EQUIPMENT

		Number of Units		HOURLY RATE PER TERM			
		Owned	Non-Owned	Details	Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94
Cardeen Construction Limited 11 Garden Avenue, Unit #8 Stoney Creek, Ontario L8E 2Y8	1			Cat D7 1988 Blade with Cab Hi Track	\$ 95.00	\$ 98.00	\$ 103.00
Cardi Construction Limited 24 Garden Avenue Stoney Creek, Ontario L8E 2Y9	1			Track Loaders Cat 953 1985 Cat 963 1987	\$ 79.00	\$ 81.00	\$ 83.00
Workman Excavating 849 Butter Road Ancaster, Ontario L9G 3L1	1			Int.1066 1980 140 HD 8' Snowblower MF 1185 1978 140 HD 8' Snowblower GMC 2500 1989 Pickup 4x4 8' Blade	\$ 100.00 \$ 100.00 \$ 60.00	\$ 104.00 \$ 104.00 \$ 62.00	\$ 108.00 \$ 108.00 \$ 64.00
Bill Price Grader Rentals R. R. #1 Smithville, Ontario L0R 2A0	1			1991 Dodge Truck complete with rev. plow, 4X4, 1 ton dual wheels	\$ 40.00	\$ 42.50	\$ 45.00
R.C.M. Contracting Ltd. 54 Pleasant Avenue Hamilton, Ontario L9C 4M7	1			GMC 3/4 Ton 1985 4 Way Angle Blade Jeep 4X4 1989 4 Way Angle Blade Jeep 4X4 1988 4 Way Angle Blade	\$ 37.38	\$ 39.25	\$ 41.12
JDR Tools & Equipment 495 Arvin Avenue Stoney Creek, Ontario L8E 2N1	7			JD 450 Dozer 6 way Blade JD 550 Dozer 6 way Blade JD 750 Dozer	\$ 61.00 \$ 62.00 \$ 78.00	\$ 64.00 \$ 65.00 \$ 80.00	\$ 67.00 \$ 68.00 \$ 82.00

10) MISCELLANEOUS EQUIPMENT Cont'd.

		Number of Units		Details	HOURLY RATE PER TERM			
Owned	Non-Owned	Owned	Non-Owned		Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94	
Harold J. Martin	2	1		'88/89 3/4T 4X4 with 7-1/2' Western Plow	\$ 50.00	\$ 54.00	\$ 58.00	
o/a Crescan Landscape Contractors				'88/89 Gravely 5400 12 hp with 48" blade or 39" snow thrower	\$ 32.00	\$ 35.00	\$ 39.00	
Wm. Groves Limited								
800 Rennie Street								
Hamilton, Ontario L8H 3R2	1			Ford 555A 1985 Loader/Backhoe	\$ 77.00	\$ 85.00	\$ 84.00	
Keldi Enterprise	1			'78 Jimmy 4X4 7-1/2' Blade	\$ 43.00	\$ 45.00	\$ 47.00	
2075 Nebo Road, R. R. #2	1			'75 Chev 1 ton 4X4 8-1/2' Blade	\$ 43.00	\$ 45.00	\$ 47.00	
Mount Hope, Ontario		4		On request	\$ 43.00	\$ 45.00	\$ 47.00	
L.M. Enterprises								
714794 Ontario Limited								
27 Crooks Street								
Hamilton, Ontario L8R 2Z7	1			'90 Bobcat 743 5' bucket	\$ 45.00	\$ 56.00	\$ 47.00	
HS&M Landscape & Maintenance								
Div. of Mikori Investments Inc.				1 ton 8' Arctic Plow & 2 yd. Sanding Unit				
1492 Wallace Road				'89/'90/'91	\$ 40.00	\$ 45.00	\$ 50.00	
Oakville, Ontario L6L 2Y2	3							

10) MISCELLANEOUS EQUIPMENT Cont'd.

	Number of Units	Owned	Non-Owned	Details	HOURLY RATE PER TERM			
					Nov. '91 to April '92	Nov. '92 to April '93	Nov. '93 to April '94	
Bill's Snow Plowing 80 Robinson Street, Suite 203 Hamilton, Ontario L8P 1Z1	2			Ford 4X4 Power Angle Plow '80/'87	\$ 50.00	\$ 50.00	\$ 53.00	
Delmar Contracting Limited 696 Arvin Avenue Fruitland, Ontario L0R 1L0	3			Rubber Tire Backhoes '87/'90	\$ 88.79	\$ 93.46	\$ 98.13	
Sunset Landscape Construction Ltd. P.O. Box 7045 Ancaster, Ontario L9G 3L3	1			'88 GMC 1 Ton 8' Blade	\$ 48.00	\$ 52.00	\$ 56.00	
E. Woytkiw Haulage Ltd. P.O. Box 235 Hannon, Ontario L0R 1P0	2			Single axle 10 cu.yd. dump sander with spinners, equiv. to City sanders '83 Intern/2010A	\$ 70.00	\$ 75.00	\$ 80.00	

CRITERIA FOR INDUSTRIAL ROADSIDE BEAUTIFICATION PROGRAM - JULY 1991

This program is offered to beautify the city owned portion of industrial roadside areas on a 50/50 cost share of the initial capital cost providing the adjacent property owner enters into an agreement with the City of Hamilton to maintain the landscaping.

Criteria

Design

1. Applicant must submit design plan to Public Works, Parks Horticulture with 2 cost estimates for beautification on road allowance.
2. Design to include all overhead and underground utility locates.
3. Must comply with City by-laws.
4. No electric receptacles or lights will be affixed to trees.
5. Parks Horticulture will approve design.

Estimates and Maintenance

1. Estimates to include 1 year warranty on installed plant material.
2. All plant material installed to be maintained by property owner, including: watering, fertilizing, weeding, insect and disease control.
3. All trees planted on the road allowance become the responsibility of the Public Works Department and will be scheduled for trimming in Grid Program.
4. Any replacement trees required will be cost shared between the property owner and the City on a 50/50 cost share basis.
5. Architecturally designed signage to be developed and displayed.
ie: "This roadside beautification project has been undertaken
jointly by firm name and the City of Hamilton,
Public Works Department.

Approval

1. Recommendation Report to the Transport and Environment Committee specifying selected addresses for program based on the date received by the Public Works Department.
2. Upon Council approval, Property owner may proceed with design installation.
3. Upon completion of project, the Public Works Department will inspect site and recommend entering into the agreement whereby the adjacent property owner will be responsible for the maintenance of the landscaping.
4. Upon completion of the agreement which is to be registered on title by the property owner, the Public Works Department will approve release of 50% of the capital cost.

PSU/rb

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **ELEVENTH** Report for 1991 and respectfully recommends:

1. That approval be given to the action taken by the Transport and Environment Committee in approving the application of Mr. T. Farrar, agent for Cycle Hamilton (244 Jackson Street West, Hamilton L8P 1M5) to temporarily close the following City Streets on Sunday July 28, 1991 from 1:30 p.m. to 5:30 p.m. to hold a Cycle Race:
 - i. Claremont Drive West 5th Street to Arcade Crescent
 - ii. Arcade Crescent from Claremont Drive to Gateview Drive
 - iii. Gateview Drive from Arcade Crescent to Cloverhill Road
 - iv. Cloverhill Road from Gateview Drive to Brantdale Street
 - v. Brantdale Street from Cloverhill Road to West 5th Street
 - vi. Hunter Street from Bay Street to Park Street
 - vii. Park Street from Hunter Street to Herkimer Street

be approved; subject to the following conditions:

- (a) That the applicant receive "Temporary Street Closure Application" approval from the Regional Police Department, Traffic Division, and that all barricading, detour signing and traffic control will be subject to the direction of the Regional Police Department, and at the expense of the organizing group;
- (b) That advance temporary road closure signs be installed in advance by the City of Hamilton Traffic Department, on the affected roadways and at the expense of the organizing group.
- (c) That the applicant ensure that clean-up operations will be carried out immediately before the re-opening of the roads, at no cost to the City;
- (d) That the applicant provide proof of \$2,000,000 public liability insurance naming the City as an added insured party with a provision for cross liability, and holding the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss;

- (e) That the applicant reimburse the Regional Police, Transportation/Environmental Services, City of Hamilton, Traffic Department and any other agency for any costs incurred by these agencies as a result of this event;
- (f) That no property owner or resident within the barricaded area be denied access to their property upon request.
- (g) That all property owners and tenants along the closed portion of the route be notified of the bicycle race by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.

RESPECTFULLY SUBMITTED,

T. Agnello
Secretary

**ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE**

July 25, 1991

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **FOURTEENTH** Report for 1991 and respectfully recommends:

1. That the Mayor write to the Minister of Culture and Communications to commend him for the recent budget increase of \$7.5 million to the Ontario Arts Council.
2.
 - (a) That the proposed Hamilton Dance Festival Adjudication and Gala 1991 for the Hamilton-Wentworth Region co-ordinated by the Department of Physical Education, McMaster University, with the support of the Hamilton Regional Arts Council and the Hamilton Ballet School, be endorsed;
 - (b) That the City of Hamilton provide a grant in the amount of \$1,275.00 to support this Festival; and,
 - (c) That the funds for this grant be provided from Account No. CH55324-70005 within the Department of Culture and Recreation's approved 1991 Budget.
3. That Ms. Delores Pendergast be appointed to serve on the Arts Advisory Sub-Committee for a term to expire 1991 November 30.
4.
 - (a) That a purchase order be issued to Mr. Frank Bufalino & Sons Construction Ltd., St. Catharines, Ontario, in the amount of \$401,250.00 for the addition to and renovations of Gage Park Staff Facilities (Lowest of 5 acceptable tenders received).
 - (b) That a contract be entered into, satisfactory to the City Solicitor.
 - (c) That the funds be provided from Account No. CF5200 629054019.

5. That a purchase order be issued to 877138 Ontario Inc., o/a Bud's Contracting, Stoney Creek, in the amount of \$56,463.90, including all taxes, plus a contingency allowance of \$7,000.00 to construct a parking lot and landscaping at Sam Manson Park, being the lowest of eleven quotations received, in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation, and that this expenditure be financed through Sam Manson Park Account No. CF629154004.
6. That the action of the Director of Public Works to transfer \$47,405.28 from Account No. CF5201 6238945001, Reconstruction of Chedoke Parking Lot to Account No. CF5200 629154004 Reconstruction of King's Forest Parking Lot and award the work to King Paving and Materials so that the parking lot could be asphalted to eliminate the dust problem, be approved.
7. That approval be given to Inch Park Baseball Association to sell liquor at their fund raising dance scheduled to take place at the Inch Park Ice Pad on Friday, August 23, 1991 subject to the following terms and conditions:
 - (i) That proof of \$2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the City as additional insured, be provided.
 - (ii) That the applicant meet all requirements of the Liquor Licence Board of Ontario for issuance of a Special Occasion Permit.
 - (iii) That the applicant assume responsibility for clean up and all labour related costs as a result of this event.
 - (iv) That the rental fee of \$168.55 be waived for this event.
 - (v) That the appropriate financial statement be submitted following this event.

8. That the Hester Street Bocce Association be granted permission to have alcoholic beverages on the premises on the occasion of their picnic, to be held Sunday, August 11, 1991 at Dundurn Park, subject to the following terms and conditions:
 - (a) That the applicant assume responsibility for all labour related charges associated with the event (set-up, clean-up, etc.).
 - (b) That alcoholic beverages be served in the confined area of the pavilion.
 - (c) That the applicant adhere to the regulations stipulated by the Liquor Licence Board in the provision of alcoholic beverages.
 - (d) That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense.
9.
 - (a) That the Parks and Recreation Committee endorse the sale of alcoholic beverages by the Greek-Canadian Church, on Church property only and in conjunction with their annual Greek Fest to be held August 16, 17, and 18, 1991.
 - (b) That permission be given to the organizers to erect a tent on Inch Park for the purpose of cooking and selling food and to provide an area for entertainment and dancing subject to the following terms and conditions:
 - (i) That approval be received from the Health and Fire Departments for arrangements for the sale of food and refreshments.
 - (ii) That proof of \$2 million Public Liability Insurance for Property Damage and Bodily Injury, naming the City as additional insured, be provided.
 - (iii) That police security, satisfactory to the Hamilton-Wentworth Regional Police, be provided.
 - (iv) That precaution be taken by the organizers to ensure the grounds are not damaged and financial restitution be made to the City for any damage that may occur.
 - (v) That all City costs over and above the norm, incurred as a result of this event be paid by the applicant.
 - (vi) That permission be granted to park 100 vehicles on Inch Park, in an area approved by the Parks Division.

10. That approval be granted of the action taken by the Director of Culture and Recreation in approving the request by the Regional Municipality of Hamilton-Wentworth to use Pier 4 Park, Eastwood Park and Bayview Park to host Amstel's Greater Hamilton Aquafest, July 26, and July 27, 1991 subject to the following terms and conditions:
 - (a) That insurance, in the amount of \$2 million, Comprehensive General Liability Insurance for Property Damage and Bodily Injury, subject to cross liability and 30 days notice of cancellation, be provided.
 - (b) That the appropriate insurance be in place related to the City's interests, particularly related to non-owned watercraft, automobiles and hot air balloon activities.
 - (c) That all requirements of the Liquor Licence Board of Ontario are met.
 - (d) That the Region assume responsibility for all labour-related costs as a result of this event.
11. That the Citizens group represented by the firm of Turkstra, Mazza, Shinehoft, Mihailovich in organizing a non-profit, charitable foundation to aid in developing, protecting and improving recreational parklands in the City of Hamilton be permitted use of the word "Hamilton" in the name of the foundation - Hamilton Parks Foundation.
12. That the report of the Commissioner of Planning and Development attached herewith as Appendix "A", be forwarded to the Consultant who will be undertaking the Parks Masterplan Study for a review of possible revenue producing strategies for parkland acquisition.
13.
 - (a) That approval of \$20,000.00 be given to proceed with the appointment of an architect, through the tendering and selection process, to provide full architectural and engineering services in the design, contract documentation and administration of construction of a new club house for the Hamilton Tennis Club. To be funded out of the \$300,000.00 approved in the 1991 - 1995 Capital Budget.
 - (b) That a contract be entered into satisfactory to the City Solicitor.

15. That the amount of \$35,338.00 be paid to Symroy Corporation Limited and Marvin Wasserman to purchase the remaining parkland credit balance of 953.42 square metres (0.2355 acre) for lands conveyed to the City in the Rexford Heights, Phase 2 Plan of Subdivision, subject to the owners executing a Release Agreement in a form satisfactory to the City Solicitor. The cost is to be charged to Account No. CH5X306 00201 (Reserve for Acquisition of Parkland).
16.
 - (a) That the Option to Purchase Agreement duly executed by the owner, the Estate of Solomon Wasserman on June 19, 1991 and scheduled for closing on September 19, 1991, be approved and completed. Said property being described as part of Lot 12, Concession 7, formerly in the Township of Barton, being more particularly described as Blocks 142 and 143 on Proposed Plan of Subdivision known as Rose Gardens as prepared by A. J. Clarke and Associates Ltd., being located on the south side of Sirente Drive and comprising of 4.427 acres, more or less. The purchase price of \$1,221,675.00 is to be charged to Account No. CH5X306 00201 (Reserve for Acquisition of Parkland).
 - (b) That it is understood and agreed by both parties that upon the completion of this transaction, the Purchaser (City) will advance one half (1/2) the purchase price, namely \$608,712.50 plus legal fees amounting to \$4,250.00, with the remaining one half (1/2) paid out to the Vendor by the Purchaser on January 2, 1992.
 - (c) That the Mayor and City Clerk be authorized to execute all required agreements.
17. That the Property Department be directed to enter into negotiations with the Hamilton Board of Education to complete the necessary transactions required for the exchange of lands which are of equal size between the City of Hamilton and the Board of Education thereby completing the amalgamation of William Connell Park.
18. That \$15,000.00, the funding necessary to construct provision for sixteen (16) additional wheelchair areas in the north stands Box "K" (near the wheelchair designated washrooms), be considered during the 1992 - 1996 Capital Budget.

19. That the concept plans attached hereto as Appendix "B" for McLaren Park prepared by Victor Ford and Associates, Landscape Architects in concert with the Central/Beasley Citizens' Advisory Committee and Regional and City staff for the Central/Beasley P.R.I.D.E. Programme, be approved in order that the Consultant can proceed with the preparation of detailed plans, specifications and tender documents at an estimated cost of one hundred and fifty thousand dollars (\$150,000.00) so that construction may proceed in the fall of 1991.
20.
 - (a) That the existing F.T.E. position of Superintendent of Park Maintenance be eliminated and the associated job functions be placed under the jurisdiction of the Co-ordinator of Park Development and the Superintendent of Park Development.
 - (b) That a new position of Park Operations Technical Assistant be created through the attrition of an existing Truck Driver/Labourer position.

Respectfully Submitted,

T. Agnello
Acting Secretary

ALDERMAN T. MURRAY, CHAIRMAN
PARKS AND RECREATION COMMITTEE

1991 July 23

RESULTS OF MUNICIPAL SURVEY

<u>Type of Development</u>	<u>Method of Implementing Section 41 of Planning Act</u>	<u>No. of Municipalities Implementing Method</u>	<u>Comments</u>
New Residential Development (Plan of Subdivision)	- 5% land or .5 (or 1) ha per 300 units	8 ^a	- Brampton may require a lot in subdivision whose value does not exceed 5% value of development. This lot is then sold at a future date, money put in park fund.
	- 5% cash-in-lieu lot ¹	10	
	- 5% cash-in-lieu based on frontages	1	- Toronto requires 5% for high and medium development, 2% for low density development.
Residential Land Severances			- Waterloo requires cash-in-lieu.
	- 5% cash-in-lieu (only applies to new lot, remnant lot is exempt) ²	3	- Does not apply to subdivisions.
Residential Redevelopment ³	- 5% land	9	- only if new unit is created
	- 5% cash-in-lieu	9	- paid on a per unit basis
			- alterations that increase usability of site subject to fee
New Commercial/Industrial Development	- 2% land	9	- new units replacing equal number of old units are exempt
	- 2% cash-in-lieu	9	- calculated by proportion of new development to total lot (development)
	- combination of land and cash-in-lieu		- Etobicoke exempts site smaller or equal to 1/2 acre
			- Burlington requires cash unless otherwise specified
			- Toronto excludes industrial development

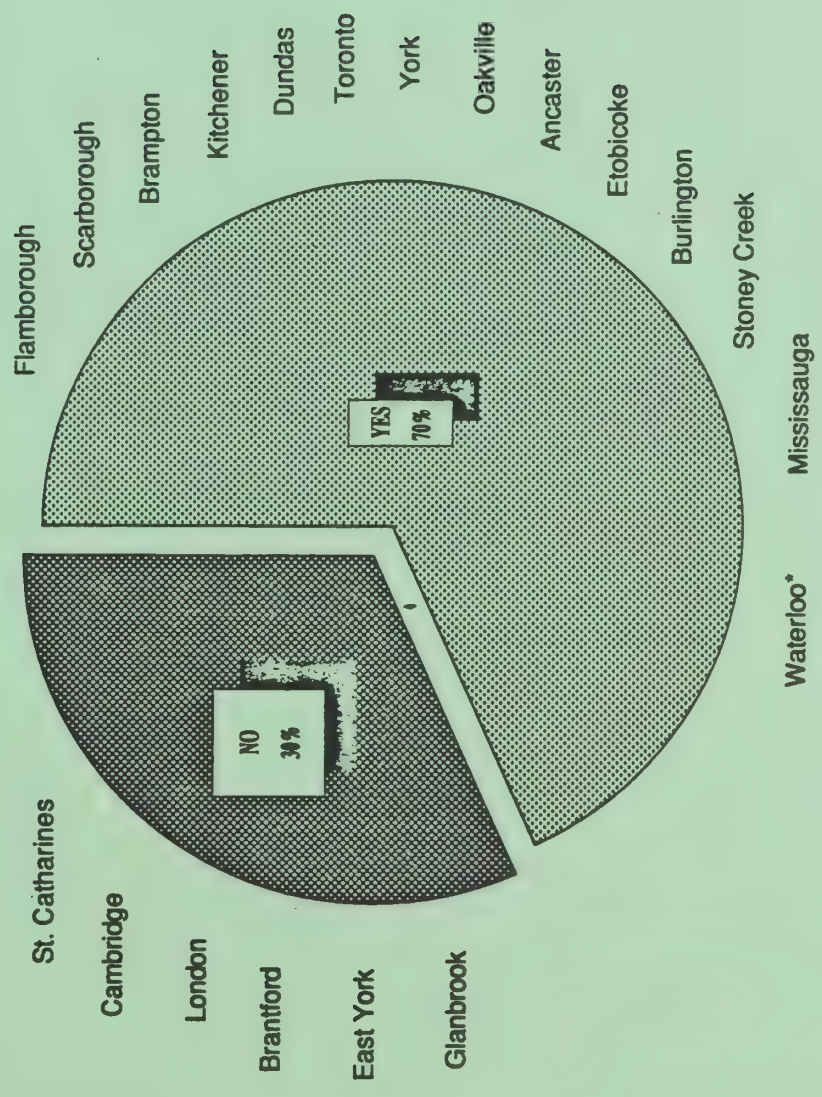
Appendix "A" as referred to in Section 12 of the FOURTEENTH Report of the Parks and Recreation Committee

<u>Type of Development</u>	<u>Method of Implementing Section 41 of Planning Act</u>	<u>No. of Municipalities Implementing Method</u>	<u>Comments</u>
Commercial/Industrial Redevelopment	- 2% land - 2% cash-in-lieu	8 9	<ul style="list-style-type: none"> - calculated as $\text{new GFA} = \frac{\text{Portion of site for 2\%}}{\text{Total site}}$ - additions less than 10,000 sq. ft. (929 m²) G.F.A. exempt (Etobicoke) - additions less than 200 m² G.F.A. exempt (Toronto) - alterations that change the usability of a building are subject to 2%. - cash-in-lieu for additions is based on area four times added floor space (Waterloo) - payment for alterations only when there has been no previous parkland dedication (Waterloo) - Waterloo requires a park to be fully developed before ownership is transferred to City. There is a cash-in-lieu of Parkland dedication levy if developer pays cash-in-lieu of parkland - only part of addition that is new (extra GFA) is subject to 2%.

Note: The following ten municipalities were sampled:
Brampton, Waterloo, Toronto, Flamborough,
Scarborough, Burlington, Etobicoke, Dundas,
Stoney Creek and Ancaster.

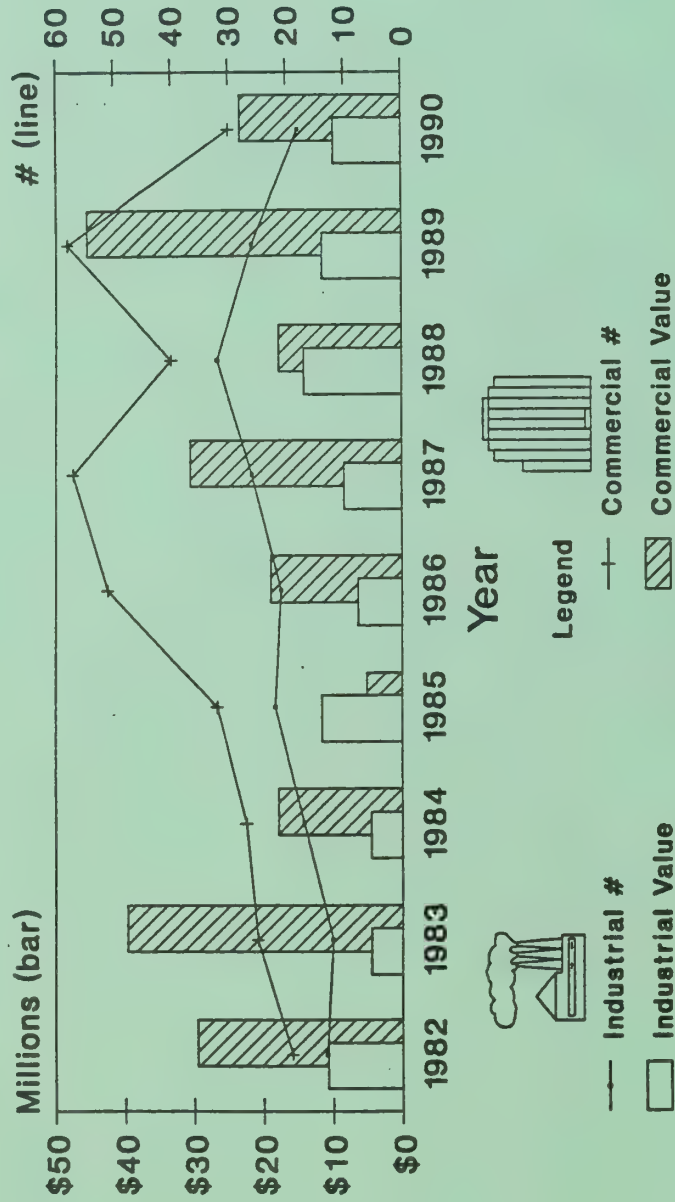
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PARKSDED.FUN

Does Municipality Implement 2% Dedication of Land and/or Cash-in-Lieu for (Re)Development of Commercial / Industrial Lands?

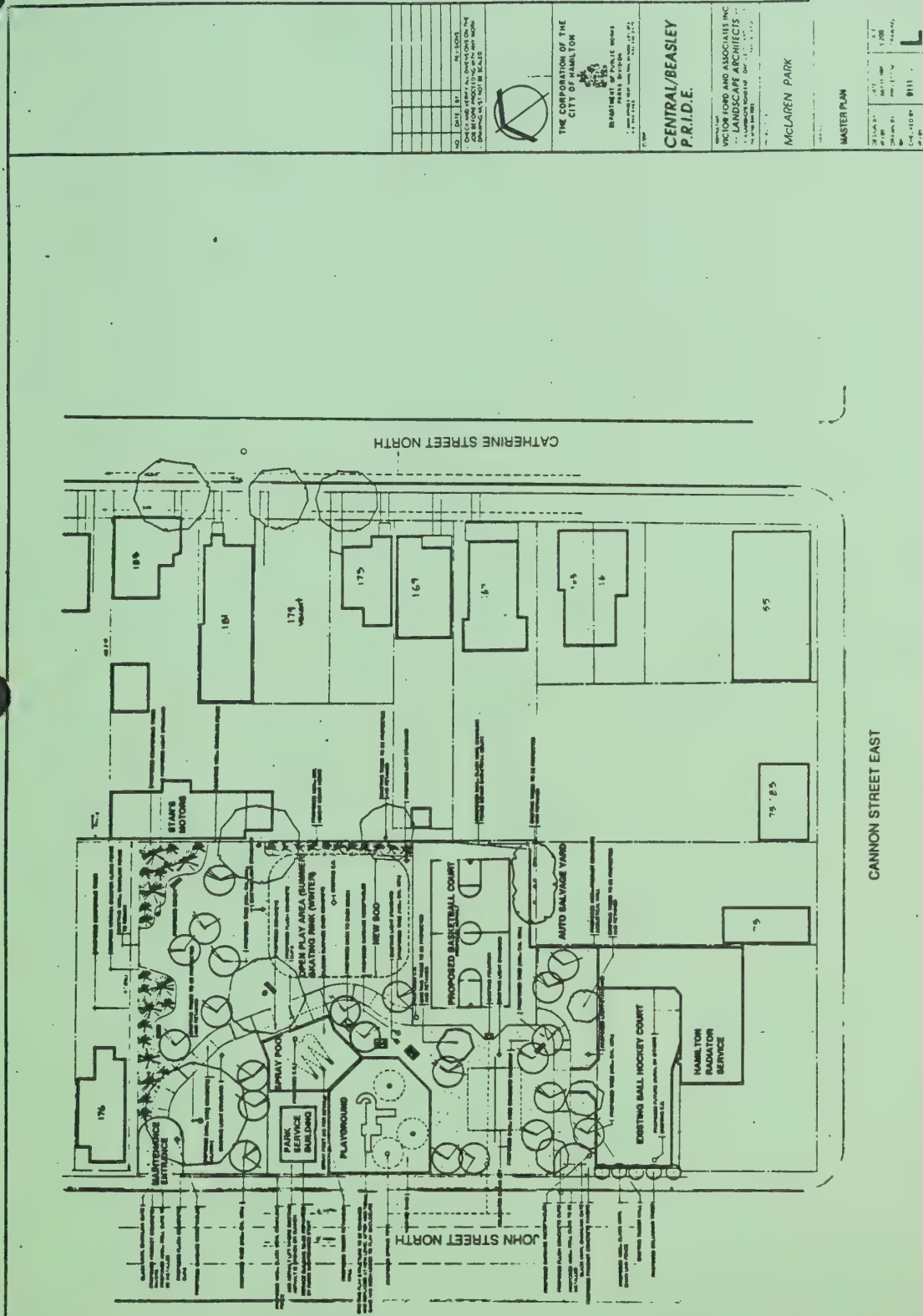


* will implement upon improvements in economic conditions

Building Permits 1982 - 1990



Source: City of Hamilton Building Dept.



REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **ELEVENTH** Report for 1991 and respectfully recommends:

1. That the Building Commissioner be authorized to issue a demolition permit for the following properties:
 - (a) 780 Upper Paradise Road.
 - (b) 493 Rennie Street.
 - (c) 485 Beach Boulevard.
 - (d) 443 Woodward Avenue.
2. That a Commercial Facade Loan, in the amount of fifteen thousand dollars (\$15,000.00) be approved for 259 Ottawa Street North, Ted & John Culshaw (A & B. Catering). The interest rate will be 4-7/16 percent, amortized over 10 years.
3. (a) That a repayable loan under the Community Heritage Trust Fund in the amount of eight thousand, and eighty dollars (\$8,080.00) be approved for Heinz Ollesch, 172-176 Locke Street South, Hamilton. The interest rate will be six percent, amortized over 10 years; and,
 - (b) That a Designated Property Grant in the amount of three thousand dollars (\$3,000.00) be provided to Heinz Ollesch, 172-176 Locke Street South, Hamilton.
4. (a) That a repayable loan under the Community Heritage Trust Fund in the amount of three thousand, eight hundred and eighty-eight dollars (\$3,888.00) be approved for Jane & Paul Rigby, 74 George Street, Hamilton. The interest rate will be six percent, amortized over 10 years; and,
 - (b) That a Designated Property Grant in the amount of three thousand dollars (\$3,000.00) be provided to Jane & Paul Rigby, 74 George Street, Hamilton.

5. (a) That a repayable loan under the Community Heritage Trust Fund in the amount of four thousand, five hundred and eighty-three dollars (\$4,583.00) be approved for Joan & Agnes McAllister, 72 George Street, Hamilton. The interest rate will be six percent, amortized over 10 years; and,

(b) That a Designated Property Grant in the amount of three thousand dollars (\$3,000.00) be provided to John & Agnes McAllister, 72 George Street, Hamilton.
6. (a) That a repayable loan under the Community Heritage Trust Fund in the amount of two thousand, three hundred and nineteen dollars (\$2,319.00) be approved for Jane & Paul Rigby, 260 MacNab Street North, Hamilton. The interest rate will be six percent, amortized over 10 years; and,

(b) That a Designated Property Grant in the amount of two thousand, three hundred and nineteen dollars (\$2,319.00) be provided to Jane & Paul Rigby, 260 MacNab Street North, Hamilton.
7. That the City of Hamilton accept the sum of \$22,300.00 for Edan Heights Phase One as cash payment in lieu of 5% dedication in connection with this subdivision; this being the cash requirement under Section 50 of the Planning Act. This proposed subdivision is located in the Butler Neighbourhood bounded by Rymal Road East, Stone Church Road, Upper Sherman Avenue and Upper Wentworth Street on the east side of Acadia Drive.
8. That the City of Hamilton accept the sum of \$18,150.00 as cash payment in lieu of 5% land dedication in connection with "Crerar Place", and the sum of \$55,900.00 as cash payment in lieu of 5% land dedication in connection with "South Hill - Phase 1" Hamilton, these being the cash requirements under Section 50 of the Planning Act. The lands of "Crerar Place" are located north of Stone Church Road East and west of Upper Wentworth Street in the Crerar Neighbourhood. The lands of South Hill - Phase I are located south of Rymal Road West and west of Upper James Street in the Kennedy East Neighbourhood.
9. (a) That approval be given to the "Intent to Designate" Zion United Church at 69 Pearl Street North as a property of historical and architectural value, pursuant to the provisions of the Ontario Heritage Act, 1983, as outlined in the Reasons for Designation attached hereto and marked as Appendix "A"; and,

(b) That the City Solicitor be authorized and directed to take appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act, 1983.

10. That a purchase order be issued to P.L.C. Construction, Hamilton, in the amount of \$55,508.39 including all taxes being the lowest of five (5) quotations received, to landscape and construct a park maintenance building, Stipeley/Crown Point West P.R.I.D.E. Phase 2, in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation, and that this expenditure be financed through Stipeley/Crown Point West P.R.I.D.E. Account No. CF5200 428902002.

11. That City Council confirm the action of the Public Works Department in removing the information kiosk located at the north west corner of John and King William Streets abutting the Windsor Hotel at an approximate cost to the Department of \$400.00.

12. That the City of Hamilton's Emergency Loan Programme be amended to include, as an eligible expense, the installation of recycled equipment for the disabled.

13. That the Building Commissioner be authorized and directed to collect the following amended administrative charges:
 - (a) Combined Certification of Zoning Verification
and Property Report \$80.00

 - (b) Property Plans (Microfiche):

For Single Family	\$10.00
For Others	\$40.00

- 14.(a) That the eight hundred thousand dollars (\$800,000.00) for the P.R.I.D.E., Anti-Recession Programme previously approved by City Council on 1991 March 26 be allocated on the following:

Wheelchair Ramps	\$200,000.00
Hard Service Treatment to Kelly and Elgin Streets in the Central/Beasley Neighbourhood	100,000.00
Trees and Grates	100,000.00
Sidewalk Reconstruction	<u>400,000.00</u>
Total	\$800,000.00

- (b) That the City's portion of the Anti-Recession Programme in the amount of four hundred thousand dollars (\$400,000.00) be funded from existing 1991 Capital Budget accounts for projects which were already scheduled for reconstruction in those areas designated as Community Improvement Project and Redevelopment Areas as defined in the Planning Act and approved by the Ministry of Municipal Affairs for expenditure of the grant funds.
- 15.(a) That the City enter into a Lease Amending Agreement dated 1987 September 2, with Fourth Phase Civic Square Limited as "Lessee" and Yale Properties Limited as "Guarantor" in the form attached hereto as Appendix "B" which amends the Ground Lease between the parties hereto dated 1981 June 1, and confirms the location of the loading dock as constructed adjacent to the Copps Coliseum Truck Tunnel and servicing Fourth Phase Jackson Square and the Sheraton Hamilton Hotel, amends the references and description of the loading dock, and confirms provisions relating to the leasing of an access corridor to the loading dock by Fourth Phase to the Sheraton Hamilton Hotel.
- (b) That the Mayor and City Clerk be authorized to execute this Agreement on behalf of the City.
- 16.(a) That an Offer to Purchase executed by Philip Enterprises Inc., on 1991 July 5, and scheduled for closing on or before 1991 September 20, for the purchase of owned land being Firstly: Lot 34, Plan 471 having a frontage on the southerly limit of Gerrard Street of 8.13 metres (26.67 feet) more or less by a depth of 24.38 metres (80 feet) more or less, containing an area of 198.21 square metres (2,133.6 square feet) more or less, known as Municipal No. 10 Gerrard Street, Hamilton, Ontario.
- Secondly: Lot 35, Plan 471 having a frontage on the southerly limit of Gerrard Street of 7.315 metres (24 feet) more or less by a depth of 24.38 metres (80 feet) more or less, containing an area of 178.36 square metres (1,920 square feet) more or less, known as Municipal No. 12 Gerrard Street, Hamilton, Ontario.
- Thirdly: Part of Lot 36, Plan 471 having a frontage on the southerly limits of Gerrard Street of 7.315 metres (24 feet) more or less by a depth of 24.38 metres (80 feet) more or less, containing an area of 178.368 square metres (1,920 square feet) more or less, known as Municipal No. 14 Gerrard Street, Hamilton, Ontario.
- Fourthly: Part of Lots 40 and 41, Plan 471, having a frontage on the southerly limits of Gerrard Street of 5.79 metres (19 feet) more or less by a depth of 24.38 metres (80 feet) more or less, containing an area of 141.2 square metres (1,520 square feet) more or less, known as Municipal No. 24 Gerrard Street, Hamilton, Ontario.

Fifthly: Part of Lots 71 and all of Lot 72, Plan 471 or more specifically Part 7 on Plan 62R-10240, having a frontage along the northern limit of Brant Street of 9.144 metres (30 feet) more or less, by a depth of 24.38 metres (80 feet) more or less, containing an area of 223.0 square metres (2,400 square feet) more or less, known as Municipal No. 221 Brant Street, Hamilton, Ontario. The purchase price is \$268,950.00. A deposit cheque in the amount of \$26,985.00 is being held by the City Treasurer pending Council approval with proceeds to be credited to Account Number CF4402 308750001 (Land Sales - Enclave Clearance Program).

- (b) That the lease with Philip Enterprises Inc., for the City owned lands at 10, 12, 14 and 24 Gerrard Street be terminated on the date of closing of the purchase of these lands by Philip Enterprises Inc.
17. That the City of Hamilton endorse the following amended resolution of the Co-Operative Housing Federation of Canada which deletes the words "without economic or social barriers" and inserts in lieu thereof the words "low and moderate income Canadians".

WHEREAS many Canadians experience serious housing problems; and

WHEREAS the Federal Non-Profit Co-operative Housing Program is the last direct non-profit housing program funded by the Government of Canada; and

WHEREAS a 1990 evaluation conducted by the Canada Mortgage and Housing Corporation has shown co-op housing to be highly successful in creating healthy mixed-income communities; and

WHEREAS co-operative housing is an important alternative for the 38% of Canadians who are not homeowners; and

WHEREAS the index-linked mortgage, introduced in Canada by the co-op housing sector, has substantially reduced the cost to the government of producing non-profit co-op housing;

BE IT RESOLVED THAT the City of Hamilton ask the Government of Canada to commit itself to sponsoring at least 5,000 new non-profit co-op housing units a year and that its co-op housing program allow for access to co-operative housing by all low and moderate income Canadians.

18. That the resolution from the City of Scarborough attached hereto and marked Appendix "C", respecting a request for Provincial Government action on second units, be received.

- 19.(a) That the comments contained in the Staff report reviewing the "Final Report of the Regional Chairman's Task Force on Affordable Housing", attached hereto and marked as Appendix "D", be endorsed; and,
- (b) That the Chairman's Task Force on Affordable Housing and Regional Council be so advised of City Council's endorsement.
20. That the City Clerk be directed to inform the City of Burlington that the City of Hamilton does not object to the proposed Official Plan Amendment and rezoning for the lands located on the south side of Spring Gardens Road, City of Burlington.
21. That approval be given to Zoning Application 89-105, DiCenzo Construction, owner, requesting a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, to permit the development of the subject lands for single-family dwellings, for lands located in the area north of Rymal Road East and west of Upper Gage Avenue, as shown on the attached map marked as Appendix "E", on the following basis:
- (a) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
- (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-38D for presentation to City Council;
- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- 22(A) That Zoning Application 91-21, Rymal Gardens Inc. (Vincent DeBenedictis, President), owner, requesting a change in zoning from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single-Family Detached) District (Block "1"), and from "C" (Urban Protected Residential, etc.) District to "RT-20" (Townhouse and Maisonette) District (Block "2"), to permit "small lot" single-family dwellings on Block "1" and townhouses on Block "2", for property located in the area south of Rymal Road East and west of the proposed extension of Upper Wentworth Street, as shown on the attached map marked as Appendix "F", be denied, for the following reasons:
- (a) It conflicts with the intent of the approved Chappel West Neighbourhood Plan which designates Block "2" on the attached Appendix "F" for "Single and Double" residential use;

- (b) Approval of the proposed townhouse development would encourage other similar applications which, if approved, would undermine the intent of the Neighbourhood Plan and alter the character of the area;
 - (c) Approval of the proposed townhouse development would result in the establishment of townhouses along both sides of the proposed extension of Upper Wentworth Street in the area south of Rymal Road East, except for a small park site, which represents an overintensification of use. In this regard, the proposed townhouse development would yield more than twice the density proposed by the Chappel West Neighbourhood Plan for this Block of land, (approximately 85 units as opposed to only 34 units, provided by the draft approved plan of subdivision.)
- (B) That the revised Subdivision Application Plan "The Gardens of Rymal", Rymal Gardens Inc., owner, under Regional File No. 25T-88037 showing blocks for townhouse development, be denied.
23. That Zoning Application 91-20, Fiore Manganiello, owner, requesting a change in zoning from "L-mr-2" (Planned Development - Multiple Residential) District to "H" (Community Shopping and Commercial, etc.) District modified, to construct a two-storey office building having a gross floor area of 632 m², for property located at 87, 89, 91, 93 and 95 Wellington Street North and 216 Wilson Street, as shown on the attached map marked as Appendix "G", be denied for the following reasons:
- (a) It does not comply with the intent of the Official Plan and conflicts with the intent of the approved Beasley Neighbourhood Plan which designates the land for "High Density Apartments";
 - (b) It conflicts with the intent of the Zoning By-law, in that the "L-mr-2" District functions as a holding zone for future medium and high density multiple residential dwellings. The "L-mr-2" District regulations clearly delineate those zoning districts to which an "L-mr-2" zoned property can be rezoned (i.e. "E", "E-1" and "E-3"). The requested "H" District is contrary to the intent of the "L-mr-2" holding zone;
 - (c) Most of the adjoining lands are either being used for residential purposes or are designated for residential purposes. The proposed office building would be incompatible with the land uses existing/proposed in the area;
 - (d) Approval of the application would set an undesirable precedent and may encourage other similar applications which, if approved, would undermine the intent of the zoning by-law and alter the character of the area; and,

- (e) It conflicts with the position of City Council, adopted 1990 April 10, to deny the application to permit the development of the lands for commercial purposes.

24. That approval be given to amended Zoning Application 91-25, William Zolis, owner, for a modification to the "M-13" (Prestige Industrial) District regulations to permit additional commercial uses on the property located at 1175 Stone Church Road East, as shown on the attached map marked as Appendix "H", on the following basis:

- (a) That the "M-13" (Prestige Industrial) District regulations as contained in Section 17E of Zoning By-law 6593, applicable to the subject lands, be modified to include the following variance as a special requirement:

- (i) That notwithstanding Section 17E(1) (c) of By-law No. 6593, the following commercial uses shall be permitted:

<u>Uses</u>	<u>SIC Identification</u>
(1.) Office and Store Machinery, Equipment and Supplies, Wholesale	5791
(2.) Bakery Products Stores	6013
(3.) Appliance, Television, Radio and Stereo Stores	6221
(4.) Floor Covering Stores	6231
(5.) Home and Auto Supply Stores	6341
(6.) General Stores	6412
(7.) Hardware Stores	6531
(8.) Paint, Glass, and Wallpaper Stores	6532
(9.) Sporting Goods Stores	6541
(10.) Other Banking-Type Intermediaries	7029
(11.) Insurance & Real Estate Agencies	7611
(12.) Offices of Chartered and Certified Accountants	7731
(13.) Offices of Chiropractors and Osteopaths	8661
(14.) Restaurants, Licensed	9211
(15.) Restaurants, Unlicensed (Including Drive-Ins)	9212
(16.) Take-Out Food Services	9213
(17.) Combination Barber and Beauty Shops	9713
(18.) Self-Serve Laundries and/or Dry Cleaners	9723
(19.) Other Machinery and Equipment Rental and Leasing	9919

- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1236, and that the subject lands on Zoning District Map E-59C be notated as S-1236.
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-59C for submission to City Council.
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

25. That approval be given to Zoning Application 91-29, Luciano Di Marcantonio, owner, requesting a modification to the "M-14" (Prestige Industrial) District regulations, to permit a an auto service centre (muffler replacement shop, motor vehicle transmission repair and replacement shop and other motor vehicle repair shops) and to remove the 83.5 m² restriction for offices accessory to the principle uses, for the property located at 90 Lancing Drive, as shown on the attached map marked as Appendix "I", on the following basis:

- (a) That the "M-14" (Prestige Industrial) District regulations, as contained in Section 17F, of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:

- (i) That notwithstanding Section 17F(1)(b) of Zoning By-law No. 6593, the following Commercial Uses shall be permitted:

<u>Commercial Use</u>	<u>Standard Industrial Classification Code</u>
(1.) Muffler Replacement Shop	6353
(2.) Motor Vehicle Transmission Repair and Replacement Shop	6355
(3.) Other Motor Vehicle Repair Shops	6359

- (ii) That notwithstanding Section 17F(1)(d)(1), the gross floor area restriction for accessory offices shall not apply.

- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1237, and that the subject lands on Zoning District Map E-59D be notated S-1237;

- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-59D for presentation to City Council;
 - (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
26. That approval be given to Zoning Application 91-33, Carlo Del Sordo, owner, requesting a modification to the "M-14" (Prestige Industrial) District regulations, to permit a public garage and an auto body repair shop, for the property located at 135 Nebo Road, as shown on the attached map marked as Appendix "J", on the following basis:
- (a) That the "M-14" (Prestige Industrial) District regulations, as contained in Section 17F, of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variance as a special requirement:
 - (i) That notwithstanding Section 17F(1)(b) of Zoning By-law No. 6593, the following Commercial Uses shall be permitted:

<u>Commercial Use</u>	<u>Standard Industrial Classification Code</u>
(1.) Garages (General Repairs)	6351
(2.) Paint and Body Repair Shops	6352
 - (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1238, and that the subject lands on Zoning District Map E-59D be notated S-1238;
 - (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-59D for presentation to City Council;
 - (d) That the proposed modification in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

27. That Zoning Application 91-06, Maria and Labros Spandonidis, owners, requesting a modification to the established "C" (Urban Protected Residential, etc.) District regulations, to permit conversion of the existing building to a two-family dwelling, for property located at 21 Lottridge Street, as shown on the attached map marked as Appendix "K", be denied for the following reasons:
- (a) It conflicts with the intent of Policy C.7.1 i) of the Official Plan in that adequate off-street parking cannot be provided;
 - (b) It is an overintensification of land use in that no on-site parking is being provided whereas two parking spaces are required. Further, the application conflicts with the intent of the Zoning By-law in that the property does not meet the minimum lot area requirement for a converted dwelling (270 m² required vs 173.11 m²). Also, an addition was constructed to increase the cubic contents of the building, contrary to Section 19(ii) of the Zoning By-law; and,
 - (c) Approval of the application would encourage other similar applications which, if approved, would alter the character of the area.
 - (d) That the appropriate staff (Law and Planning Departments) be directed to represent the City at the Ontario Municipal Board Hearing scheduled for August 21, 1991, respecting Committee of Adjustment File A-258-89.
28. That Zoning Application 91-23, 766284 Ontario Ltd. (A. Goulding), requesting a change in zoning from "AA" (Agricultural) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District (Blocks "1" and "2"), and from "G-3" (Public Parking Lots) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District (Block "3"), to permit the development of the subject lands for a 5 storey, 50 unit apartment building, for the property located at 141 Queenston Road, as shown on the attached map marked as Appendix "L", be denied for the following reasons:
- (a) It conflicts with the intent of the Official Plan, in that the height and bulk of development would not integrate with the surrounding area, and is incompatible with the existing and proposed uses;
 - (b) It conflicts with the intent of the approved Riverdale East Neighbourhood Plan which designates the lands "Commercial-Special Provisions." In this regard, it is intended that these lands be consolidated/developed with the commercial lands fronting on Queenston Road; and,

- (c) The preliminary site plan indicates that 13 of the 89 required parking spaces (24 spaces for the commercial and 65 spaces for the residential) will be located on the Stoney Creek lands to the east. This arrangement is unsuitable in that insufficient parking will be provided on-site. Furthermore, it is contrary to the Zoning By-law which prohibits access for a commercial development within a residential district.
 - (d) That the City Clerk be authorized to notify the City of Stoney Creek of City Council's decision.
29. That approval be given to Zoning Application 91-27, John Paisley in Trust, owner, requesting the removal of the 'H' (Holding) symbol under Section 35(1) of the Planning Act, and the City Solicitor be directed to prepare a by-law for submission to City Council for property located at 1405, 1411 and 1417 Upper James Street, as shown on the attached map marked as Appendix "M".
- 30.(a) That representatives from L.A.C.A.C. be authorized to meet with C.P. Rail to request a 3 month delay in the demolition of the former maintenance facility on their property on Aberdeen Avenue, popularly known as "the roundhouse" for the purpose of preserving this building; and,
- (b) That representatives from L.A.C.A.C. be authorized to contact the appropriate Provincial Government Ministry Officials to discuss the possibility of adapting "the roundhouse" for use as the Provincially proposed Workers' Museum.
31. That leave be granted to introduce the following Bills:
- (a) Bill C-50 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 1215 Stone Church Road East.
 - (b) Bill C-51 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 298 Grays Road.
 - (c) Bill C-52 A By-law to amend Zoning By-law No. 6593 respecting lands located at Municipal Nos. 610 and 612 King Street East.
 - (d) Bill C-53 A By-law to establish Site Plan Control respecting lands located at Municipal Nos. 610 and 612 King Street East.

- (e) Bill C-54 A By-law to amend Zoning By-law No. 6593 respecting lands located on the east and west sides of Fairington Crescent and south of Eastgate Court.
- (f) Bill C-55 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 64 Ewen Road.
- (g) Bill C-56 A By-law to amend Zoning By-law No. 6593 respecting lands located at Municipal Nos. 1508, 1514 and 1530 Upper James Street.
- (h) Bill C-57 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 402 Upper Wentworth Street (formerly Inverness Public School).
- (i) Bill C-58 A By-law to amend Zoning By-law No. 6593 respecting lands located in the area east of Lake Avenue North, between Barton Street East and the Queen Elizabeth Way.

Respectfully submitted,

ALDERMAN F. LOMBARDO, CHAIRMAN
PLANNING AND DEVELOPMENT COMMITTEE

Susan K. Reeder
Secretary
1991 July 24

REASONS FOR DESIGNATION
Zion United Church
69 Pearl St. North

Location:

Situated at the northwest corner of Pearl and Napier Streets, the Zion Tabernacle Methodist Church was erected in 1874-75 on what was thought to be the highest point of land north of the escarpment. The design, by architect Joseph Savage, chose to emphasize this hilltop site with a corner tower rising to a height of 125'. Zion's graceful spire became the most visible feature of the city's West End and traditionally served as an orientation point for ships in the harbour. The church was and still is a dominant structure in the surrounding low-rise residential neighbourhood, dating primarily from the 19th century.

Architecture:

The church is designed in the Victorian Gothic style, a later stage of the Gothic Revival which put greater emphasis on picturesque and decorative qualities. Typical of this style is the asymmetrical design with corner towers of contrasting height, as well as the colourful, alternating red and yellow banded brickwork found over the pointed-arched windows and under the front gable.

Upon completion, Zion Church was described as "the first of the kind ... erected in the Dominion" (Canadian Methodist Magazine, April 1875). This distinction refers to the interior plan of the church, a 80' x 90' amphitheatre, featuring a floor that sloped from all three sides down to the central pulpit on the west side. Reputedly inspired by the Broadway Tabernacle in New York City, this innovation afforded each of the 900 seats a clear view to the speaker.

Zion Tabernacle represents the one significant local work by Joseph Savage who was at the time in partnership with the Toronto architect Windeyer. In 1875, within a month after the church was dedicated, architect Savage died at the young age of 37 years.

Due to increasing attendance, two Sunday Schools were added to the Napier Street frontage, the first (directly adjacent) designed by Charles Mills in 1892 and the second by G. T. Evans in 1930. Together they form a well-integrated church complex, despite the shift in architectural style to the rounded arches, popular at these later dates.

History:

Major events within the national Methodist church, including its 100th anniversary in 1868 and important consolidations in 1874 and 1883, had a profound effect at the local level. Combined with other favourable conditions, Hamilton experienced a proliferation of substantial Methodist church edifices. Six were constructed within fifteen years, four of which still remain: the Primitive Methodist (now St. Johannes Lutheran) (1867); Centenary (1868), Zion (1875) and Hannah St. (now First Christian Reformed) (1882). The name of Zion Tabernacle Methodist Church was changed to Zion United Church following the formation of the United Church of Canada in 1925.

Zion church grew out of the need for a Methodist representation in the West End, where the Great Western Railway had located--then the largest employer in the City. The present structure is Zion's third, following "the little Main St. church" established in 1855, and a small brick structure known as Mt. Zion built in 1867 at Pearl and Napier Streets.

The high value placed on education by the church is evidenced in the substantial Sunday Schools, the later one having provided one of the earliest gymnasiums in the City. At present, these buildings are used as the Kirkendall-Strathcona Neighbourhood House.

Important for the preservation of this building is the retention of the original architectural features of the east front facade and south side facade (Church and Sunday Schools), including the brickwork of walls, towers and buttresses; the spires, the arched doorways and windows; and the window mouldings, decorative brickwork and stone trim.

Appendix "A" as referred
to in Section 9 of the
ELEVENTH Report for 1991
of the Planning and
Development Committee

THIS AGREEMENT made as of the 2nd day of September, 1987.

B E T W E E N:

THE CORPORATION OF THE CITY OF HAMILTON

(hereinafter referred to as the "Lessor" or the "City")

OF THE FIRST PART

- and -

FOURTH PHASE CIVIC SQUARE LIMITED

(hereinafter referred to as the "Lessee" or "Fourth Phase")

OF THE SECOND PART

- and -

YALE PROPERTIES LIMITED

(hereinafter referred to as the "Guarantor" or "Yale")

OF THE THIRD PART

WHEREAS by a Ground Lease dated as of the 1st day of June, 1981, and registered as Number 197189C.D.) between the parties hereto the Lessor leased to the Lessee the demised premises described in Schedule "A" of the Ground Lease in accordance with the terms and conditions set out therein (hereinafter referred to as the "Ground Lease");

AND WHEREAS it is provided in Section 23.4 thereof that the same may not be modified or amended except by an instrument in writing of equal formality executed by the parties thereto;

AND WHEREAS page two of Schedule "C" of the Ground Lease refers to a loading dock to be constructed by the Lessee within that part of its demised premises designated as Part Eight, which Part 8 is defined in the Ground Lease;

AND WHEREAS the loading dock as constructed is shown as Part Two on Plan 62R-6886 together with an adjacent entry area for vehicles shown as Part One on Plan 62R-6886;

AND WHEREAS in an Agreement (dated as of July 31, 1984, registered as Instrument Nos. 320192C.D. and 161659L.T.) entered into among the City, Second Phase Civic Square Limited, Fourth Phase and Lakeview Development Ltd., provisions were agreed upon in respect of the construction and use of the loading dock (hereinafter this Interface Agreement shall be referred to as the "Hotel Interface Agreement");

AND WHEREAS it is agreed by the City and Fourth Phase that the Ground Lease should be amended as set out herein to confirm that the location of the loading dock as constructed is satisfactory to the Lessor and the Lessee.

NOW THEREFORE IN CONSIDERATION of the sum of Two Dollars (\$2.00) paid by each of the parties hereto to the others it is agreed as follows:

1. The Ground Lease is hereby amended as follows:

- (i) by deleting the second and third paragraphs on page two of Schedule "C" and substituting the following paragraphs:

Appendix "B" as referred
to in Section 15 of the
ELEVENTH Report for 1991
of the Planning and
Development Committee

"The Lessee of Phase Four and the Lessee of Phase Three shall share the use of the loading dock to be constructed by the Lessee of Phase Four on that part of Parts Four and Eight more particularly described as follows:

Those lands and premises located in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario, and being composed of:

- Part of Lots 1 and 2, Block 2 and part of Market Street, as closed by City of Hamilton By-Law No. 72-270, registered as Instrument No. 270101 A.B., according to David Kirkendall Survey, Registered Plan No. 39, designated as PART 1;

- Part of Lot 1, Block 1 and part of said closed Market Street, in the said David Kirkendall Survey, Registered Plan No. 39, designated as PART 2;

ALL as shown on a reference plan deposited in the Land Registry Office at Hamilton, as Plan 62R-6886."

- (ii) by deleting the second last paragraph on page 2 of Schedule "A" (titled "Description of demised premises" and substituting the following paragraph:

"Subject to the use by others of:

(a) that portion of the said Part 3, Plan 62R-5316 that is included within Parts One and Two, Plan 62R-6886; and,

(b) that portion of Part 7, 62R-5316 that is included within Parts 1 and 2, 62R-6886."

- (iii) there shall be added to Schedule "C" the following paragraph:

"The Lessee of Phase Three, pursuant to the provisions of Section 5(f) of the Hotel Interface Agreement dated July 30th, 1984, registered as Instrument No. 161659L.T. and 320192C.D., shall have access to the said loading dock through an area leased pursuant to a lease dated as of the 1st day of May, 1985 between the Lessee of Phase Four, as Landlord and the Lessee of Phase Three, as Tenant, which leased area is described as Part 3, Plan 62R-6886."

- (iv) the reference to Schedule "A" and to Schedule "C" in sec.1.01(b) of the Ground Lease and the reference to Schedule "C" in Schedule "A" hereto shall be deemed to mean a reference to Schedules "A" and "C" as amended by this herein Amending Agreement.

2. All other terms and conditions of the said Ground Lease are herein confirmed including the provision that time is to remain of the essence.

3. This amendment to the Ground Lease shall be registered by the Lessee on title to the demised premises as described in the revised Schedule "A" attached hereto.

4. This Indenture shall enure to the benefit of and be

binding upon the parties hereto and their respective successors and assigns.

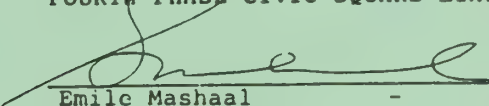
IN WITNESS WHEREOF the parties hereto have caused to be affixed their respective corporate seals attested by the signatures of their respective proper officers duly authorized for such purposes.

THE CORPORATION OF THE CITY OF HAMILTON

 - Mayor

 - City Clerk

FOURTH PHASE CIVIC SQUARE LIMITED

 - President

 - Secretary

YALE PROPERTIES LIMITED

 - Vice-President

SCHEDULE "A"

(Attached to and forming part of an AMENDING AGREEMENT dated September 2, 1987 amongst THE CORPORATION OF THE CITY OF HAMILTON, FOURTH PHASE CIVIC SQUARE LIMITED and YALE PROPERTIES LIMITED)

FIRSTLY:

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of all of Lots 3, 4 and 5, part of Lots 1 and 2, part of Lots lettered "A" and "B", and part of an unnumbered lot, all in Block 1, David Kirkendall Survey registered in the Land Registry Office for the Registry Division of Wentworth as Plan No. 39, part of Lots 2, 3 and 4 fronting on Market Street in Block 2, David Kirkendall Survey and part of Market Street in Block 2, David Kirkendall Survey and part of Market Street lying between the said Block 1 and 2, the said Market Street now closed by City of Hamilton By-Law No. 72-270 dated October 31, 1972 and registered as Instrument No. 270101A.B., and which said parcel may be more particularly described as all of Part 7 according to a Reference Plan received and deposited in the said Land Registry Office on April 22, 1980 as Plan 62R-5316.

Subject to the use by others of that part of the said Part 7 that is included within Parts 1 and 2 on Plan 62R-6886.

SECONDLY:

ALL AND SINGULAR those certain parcels or tracts of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of part of Lot 1 in Block 1, and part of Lots 1 and 2 fronting on Market Street in Block 2, according to David Kirkendall Survey registered in the Land Registry Office for the Registry Division of Wentworth as Plan No. 39, parts of Market Street now closed by City of Hamilton By-law No. 72-270 dated October 31, 1972 and registered as Instrument No. 270101A.B., part of Park Street, part of Lot 2 in the block bounded by Market, MacNab, King and Park Streets according to the said David Kirkendall Survey part of Lots 9 and 10 according to A. N. MacNab Survey (unregistered) in the block bounded by York, MacNab, Market and Park Streets and which said parcels may be more particularly described as that portion of Parts 2 and 3 according to a Reference Plan received and deposited in the said Land Registry Office on April 22, 1980 as Plan 62R-5316, lying below a horizontal plane having a geodetic datum elevation of Three Hundred and Fifty-Three point zero feet (353.0').

Part 2 being composed of part of Lot 1, Block 1, part of Lot 1, Block 2 and part of Lot 2 in the block bounded by Market, MacNab, King and Park Streets all according to the said David Kirkendall Survey, part of Lots 9 and 10, A. N. MacNab Survey and part of Market and Park Streets.

Part 3 being composed of part of Lot 1, Block 1 and part of Lots 1 and 2, Block 2, David Kirkendall Survey and part of Market Street.

Subject to the use by others of that part of the said Part 3 that is included within Parts One and Two on Plan 62R-6886.

TOGETHER WITH and subject to those rights and easements set out in Schedule "C" to a certain Ground Lease registered as Instrument No. 197189C.D.

SECOND UNITS: REQUESTED PROVINCIAL GOVERNMENT ACTIONS

(Resolution Adopted by Scarborough Council, March 20, 1991)

WHEREAS The Provincial Government's Policy Statement, "Land Use Planning for Housing", requires Municipalities to provide for future housing needs; and

WHEREAS The City of Scarborough has provided for an additional 12,000 units in the past 3 years by using the powers available to it under the Planning act; and

WHEREAS The Provincial Government requires Municipalities to permit second units in existing houses to help meet future housing needs; and

WHEREAS The City conducted an extensive public involvement process for its Housing Intensification Study, consisting of:

1. A brochure sent to all 171,000 Scarborough households in Fall 1989, inviting them to participate in the discussion of a policy for basement apartments and which led to the establishment of a mailing list of 5,400 respondents to the brochure;
2. Preparation of readily accessible background information on the issue to provide better public understanding, which was sent to all those on the mailing list;
3. 14 Community Meetings on the Basement Apartments issue, attended by 750 Scarborough residents, and held in Spring, 1990, notice of which was given to all those on the mailing list and to a wide range of community groups, and which were also advertised in local newspapers and on the Community T.V. channel;
4. 1,800 responses to an Opinion Survey which was sent to all those on the mailing list;
5. Presentation of the Provincial Government's Housing Policy Statement to 22 Community Meetings examining Scarborough's Official Plan; and

WHEREAS The City requires additional powers to enable it to adopt a responsible, fair, comprehensive policy for second units; and

WHEREAS Second Units may create demand for additional municipal services; and

WHEREAS

The Provincial Housing policy allows municipalities to zone for second units in some areas and prohibit these units in other areas, municipalities require more effective abilities to enforce regulations applicable to second units; and

WHEREAS

Absentee-owned houses with second units are a business for their owner, and should be licensed, taxed, and regulated accordingly; and

WHEREAS

Many of the unacceptable local impacts of second units may be mitigated if second units are restricted to owner-occupied houses;

THEREFORE, be it resolved that Council request, that in order to facilitate its consideration of the legalization of second units, the Provincial Government give consideration to the following:

1. Amend the Development Charges Act to permit Municipalities to levy Development charges on additional dwelling units.
2. Ensure that all second units are assessed for property taxes as duplexes in comparison with other duplexes under the Assessment Act.
3. Amend the Assessment Act to provide that the units in absentee-owned houses with second units be assessed as businesses;
4. Create a Municipal By-law Court to deal with all By-law infractions and Building Code violations;
5. Amend the Planning Act and The Municipal Act to provide that the cost of work carried out under municipal order shall be recovered "as taxes";
6. Amend the Metropolitan Toronto Act to provide that fines payable upon conviction in court belong to the municipality that originated the prosecution;
7. Amend the Court Procedures to permit a Prohibition Order to be enforced by the Court granting such an order;
8. Provide zoning by-law inspectors, property standards inspectors, and building code inspectors with reasonable and effective rights of access to dwellings, for purposes of inspection for compliance with the Ontario Building Code and municipal by-laws without undue delay or expense;

9. Amend the Landlord and Tenant Act and the City of Scarborough Act to provide that a landlord's refusal to comply with the Building Code, the Fire Code and municipal by-laws may result in the relocation of the tenant and/or the municipality undertaking needed repairs and maintenance, with all costs being recovered as taxes;
10. Amend The Landlord and Tenant Act to provide the ability for a homeowner to evict expeditiously an incompatible tenant from a second unit;
11. Amend Sections 38 (Temporary Use By-laws) and 44 (Minor Variances) of the Planning Act to permit Municipalities to enter into agreements with owners as a condition of permission granted under the authority of those Sections, and provide that these agreements are able to be registered against the land to which they apply and enforceable against any and all subsequent owners of the land;
12. Amend The Municipal Act to permit Municipalities to pass By-laws licensing and regulating units in houses with second units; and

THEREFORE

This request is made so that the Provincial goal of providing additional affordable housing can be achieved in a safe, financially responsible fashion, that respects the quality of life for existing and future residents in our neighbourhoods; and

THEREFORE

Council directs that this request be circulated to all Municipalities subject to the August 1, 1991, deadline for the implementation of the Provincial Housing Policy Statement, and the Association of Municipalities of Ontario; and

THEREFORE

Council directs that a copy of this request be sent to all those on the Housing Intensification Mailing List held in the Planning and Buildings Department, and to all Community Associations, as well as the list of Special Interest Groups that would be specifically affected by any decisions that this Council makes on housing intensification and basement apartments, the Seniors Groups, Multicultural Groups and the Ethnic Press.

APPENDIX "D"

**COMMENTS ON THE RECOMMENDATIONS
FROM THE FINAL REPORT OF
THE REGIONAL CHAIRMAN'S TASK FORCE ON AFFORDABLE HOUSING**

**Appendix "D" as referred
to in Section 19(a) of the
ELEVENTH Report for 1991
of the Planning and
Development Committee**

APPENDIX "D"

COMMENTS ON THE REPORT OF THE REGIONAL CHAIRMANS TASK FORCE ON AFFORDABLE HOUSING

The Regional Chairman's Task Force is to be commended for producing a thorough document on a very important and difficult issue that affects all residents of Hamilton-Wentworth.

However, in general terms, the Task Force Report appears to provide some duplication between the present role of Area Municipalities and the Region in the land use planning approvals process. In several instances, recommendations are made by the Task Force (e.g. 3.1 and 3.2) which call for a Regional role in areas that have been traditionally the responsibility of the local municipality. Further clarification of Regional and Local functions is required.

The specific recommendations of the Final Report of the Regional Chairman's Task Force that have implications on the City are identified and comments provided below. A number of recommendations can be supported without any discussion. These include: 2.2, 2.3, 2.4, 2.5, 2.6, 2.7, 2.8, 2.11, 2.12, 2.13, 2.14, 4.5, 5.2, 5.3 and 5.8.; however, the following recommendations are worthy of clarification or reconsideration by the Task Force.

RECOMMENDATION 1.1

That the Regional Official Plan be amended to include a statement that it shall be the goal of Regional Council to achieve a minimum of 25% affordable housing (as defined in Recommendation 1.6) in all urban and rural planning units/neighbourhoods of Hamilton-Wentworth, existing and new, subject to servicing availability, in order to guarantee all residents have the opportunity to live in every area of the Region.

Comment:

It should be noted that this requirement will be implemented on a local level as well as at the Regional level. This approach in regard to the 25% affordable housing requirement may be inconsistent to the approach the City of Hamilton may take in implementing of the Provincial Policy Statement. Further, it is not clear how 25% affordable housing can be achieved in existing neighbourhoods. Accordingly, this recommendation cannot be supported as there would be insufficient flexibility for the City in implementing the Provincial Policy Statement, if the Regional Official Plan is amended in this manner.

RECOMMENDATION 1.2

That the Regional Official Plan be amended to include a statement that it shall be the policy of Regional Council to ensure an adequate and suitable supply of land is designated for medium to high density (12 or more units per acre) residential development and adopt as the current guideline the recommended target (part of the Regional Housing Statement Update) that at least 45% of all new development be medium or high density, subject to adequacy and availability of servicing.

Comment:

The 45% target of medium and high density housing is consistent with actual housing completions (based on Canada Mortgage and Housing Corporation data) that occurred in the City of Hamilton from the period January, 1988 to March, 1991: single and semi-detached

units accounted for 54.5 percent of all completions; row/townhouse units accounted for 30.0%; and apartment units accounted for 15.5 percent of all completions.

However, these targets are only guidelines which are dependent on private market activities to be achieved. Therefore, it should be recognized that the targets may not always be achieved.

RECOMMENDATION 1.3

That the Regional Official Plan be amended to include a statement that it shall be the policy of Regional Council to approve Regional Official Plan amendments asking for the redesignation of land when applicable only after the applicant has demonstrated how the Region's affordable housing goals and density targets will be addressed.

Comment:

It is not clear if this recommendation is intended to apply to all lands or only for lands involving residential designations. It appears affordable housing concerns would take precedence over other policy considerations in terms of Official Plan redesignations. Accordingly, the Task Force should provide further clarification on the intent of this recommendation.

RECOMMENDATION 1.4

That the Regional Official Plan be amended to indicate that home sharing, home conversions, conversions of non-residential buildings to residential purposes, infill and redevelopment are necessary processes for addressing the full range of affordable housing needs in all Area Municipalities of the Regional Municipality of Hamilton-Wentworth.

Comment:

This recommendation can be supported. City Council has recently adopted the Housing Intensification Strategy and the amendments advocated by the Task Force would be consistent with the general policy directions of the City's strategy. It should be noted that these forms of residential intensification are already permitted in the Hamilton Zoning By-law. However, the other Area Municipalities should also be required to provide for their fair share of the demands for these types of housing developments.

RECOMMENDATION 1.6

- a) *That the Residual Income Method be adopted as a needed component for identifying the affordable housing needs in The Regional Municipality of Hamilton-Wentworth.*

Comment:

The Task Force has recommended that a combination of statistical methods is required "to more definitively identify the housing needs of Hamilton-Wentworth residents." It is not clear why this fundamental research task was not undertaken at the outset by the Task Force. This raises concerns in regard to the rationale or quantitative basis of the Task Force recommendations in terms of responding to housing needs in Hamilton-Wentworth. In addition, the Task Force report has not linked the definition of affordable housing to the quantity and type of affordable housing that is actually needed in Hamilton-Wentworth.

The Task Force advocates the use of the Residual Income Method as one way of identifying affordable housing needs in Hamilton-Wentworth. Use of the Residual Income Method is of concern as it only shows "those groups in the Region who may have trouble finding

affordable shelter". This method does not quantify households in Hamilton-Wentworth who are experiencing housing affordability problems and their socio-economic and demographic characteristics and the extent of housing affordability problems in the Region. The Residual Income Method would also be difficult to update on a yearly basis which would constrain Area Municipalities in implementing the provisions of the Provincial Policy Statement.

Will the Area Municipalities be required to use this method to determine affordability under the Provincial Policy Statement on Land Use Planning for Housing? If so, what are these figures? The Area Municipalities must have flexibility to use various methodologies to define affordable housing within their communities.

In addition, these affordable levels must be updated on an annual basis in order to implement. As accurate income information is only available through the Census, these numbers may be difficult to update.

Further clarification of the impacts of the Residential Income Method should be undertaken before this recommendation is adopted.

RECOMMENDATION 2.1

That the Commissioner of Planning and Development be authorized and directed to organize a technical committee, made up of representatives from Regional and Area Municipal Planning Departments, relevant Provincial agencies, and the Housing Development Industry, with the mandate to prepare a framework for new zoning by-laws that can be adopted by the Area Municipalities...

Comment:

The broad concept of reviewing Area Municipality zoning by-laws is supportable; however, it is inappropriate to suggest the only option in regard to future zoning by-laws is "to replace the current exclusionary zoning by-laws with flexible zoning by-laws." This recommendation may conflict with the aim of the Provincial legislation which allows local municipalities to develop zoning by-laws reflective of the demographic and socio-economic characteristics of their community. Zoning by-laws which do not take into account local circumstances and needs may be as inflexible as current by-laws.

RECOMMENDATION 3.1

That public participation principles be adopted and applied to the planning process in order to provide citizens an effective role in changing and improving their community. These recommended principles are as follows:

- a) The public should be promptly provided with proper information and notification of change in order to facilitate consultation.*
- b) Appropriate opportunities for consultation to occur should be provided throughout and at the end of a participation process.*
- c) The results of consultation should be reported back to the Region and Area Municipalities in an unaltered and unbiased manner.*
- d) Policies and programs should be accessible, clear, concise and timely.*
- e) Community members should be encouraged to define and meet their own needs, free from coercion and with provision of appropriate information and resources...*

Comment:

The Task Force has suggested the land use planning process is altered and biased and the public is coerced during the process. The City of Hamilton has been a leader in community-based neighbourhood planning since the 1970's. Together with the requirements of the Planning Act, and the planning process followed by the City, significant public participation is ensured.

It is likely the recently announced Provincial inquiry chaired by John Sewell on the present land use planning process will address the issue of public participation in further detail.

RECOMMENDATION 3.2

That appropriate Regional staff be authorized and directed to provide support to Area Municipalities and encourage them to initiate a pilot project to establish and support neighbourhood based planning committees in four or five different neighbourhoods in the Region whose purpose is to examine affordable housing and other inter-related issues as they exist in these particular communities.

Comment:

It is not clear what exactly is being advocated in this recommendation. Currently, the City undertakes neighbourhood planning for both existing and undeveloped neighbourhoods. This process is being modified to deal with neighbourhood impacts of housing conversions. This recommendation appears to be a duplication of the City's planning function. Perhaps, the Region could support local efforts in this regard through data collection, staff support and funding. Further clarification and a more definitive Terms of Reference should be undertaken before approval of this recommendation.

RECOMMENDATION 3.3

a) That appropriate staff (provided with appropriate budget resources) be directed to work with Area Municipalities, citizen groups, churches, and other community based organizations in projects that could include, but are not limited to, the following:

- *accessing programs such as PRIDE;*
- *developing local rehabilitation and repair centres involving trades people, retirees, and other volunteers, and accessing funds available through training or retraining programs, to assist those in need;*
- *facilitating rehabilitation of existing residential dwellings on the principle of sweat equity for the homeless;*
- *developing agreements with owners of vacant parcels of land to promote the interim use of these properties...*

Comment:

There would be a large degree of overlap and conflict with current City housing loans and community improvement programs and planning initiatives. Duplication is both costly and inefficient. In addition, such duplication could impact on the City's ability to access funds from senior levels of government. It is not clear from the Task Force report how this duplication would be rectified or what will be the role of the area municipalities. Further clarification is required from the Task Force prior to approval of this recommendation.

RECOMMENDATION 6.1

That the Commissioner of Planning and Development, in conjunction with the Commissioner of Social Services, other relevant departments, providers of housing, and members of the Chairman's Task Force on Affordable Housing be authorized and directed to develop a detailed implementation plan for the creation of a Regional Housing Commission and present this report for consideration by Regional Council in six months.

Comment:

The focal point of the Task Force strategy is the creation of a Regional Housing Commission. It is through this Commission that the majority of the Task Force recommended actions are to be implemented. The Regional Housing Commission would take the form of a "quasi non-governmental organization" made up of political and citizen representatives and would operate at "arms length from government". The Commission would be the "vehicle through which the Region could manage the devolved housing authority it is seeking the from the Province" and an "agent to foster even more community development and participation in housing issues."

The responsibilities of the Commission are noted as being "planning, coordinating and delivering housing related services" that have been devolved from the Provincial Government. It appears the Task Force has envisioned the Commission as an autonomous body with special legislative authority in regard to all housing-related matters in Hamilton-Wentworth.

It may be the case that the Regional Housing Commission could duplicate a number of functions currently provided by the City of Hamilton. For example, one of the roles suggested by the Task Force is to "develop a Region-wide delivery mechanism for community-based rehabilitation and maintenance programs." The City of Hamilton presently administers a number of Provincial, Federal and City rehabilitation programs through the Housing Loans section of the Building Department. It is not clear that the Regional Housing Commission could fulfil this role more capable and responsive than the City of Hamilton currently does.

In addition to the duplication of housing-related services currently provided by the City, there is also the issue of accountability. The Task Force makes the argument that the Commission would be "formally accountable primarily at the local level to residents of Hamilton-Wentworth and their representatives on Regional Council." However, it is not clear how this will be accomplished.

A final concern is with the dollar cost of the Regional Housing Commission. The Task Force report did not address the cost of establishing and operating the Commission. These costs could be substantial if the Regional Housing Commission does not receive monies generated through various housing supply programs.

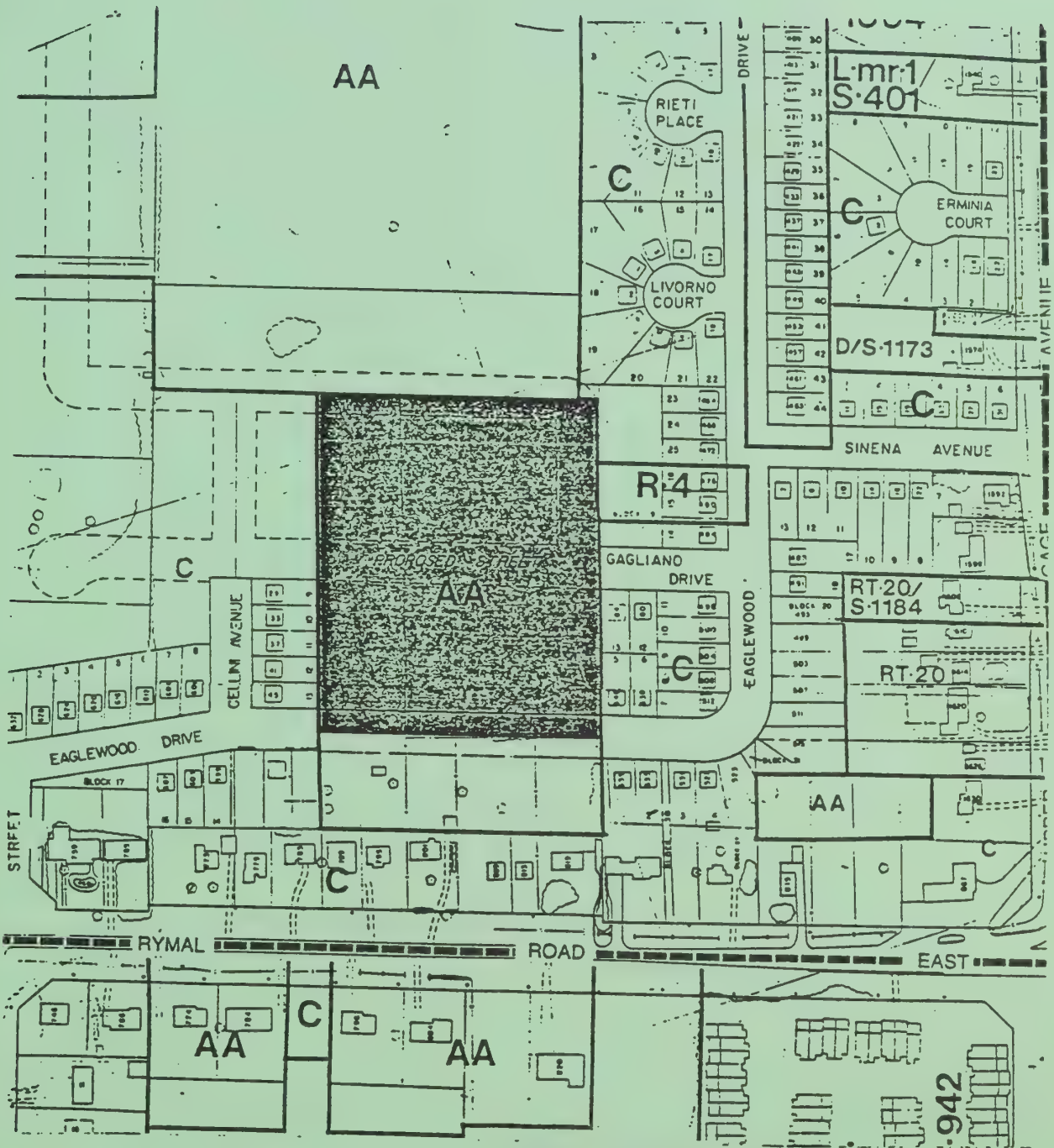
Although the scope of the efforts of the Housing Commission is desirable in terms of addressing affordable housing needs in Hamilton-Wentworth, the concept of an unelected special purpose body exclusively responsible for all "planning, co-ordinating and delivering housing related services" in Hamilton-Wentworth needs to be examined in greater detail.

SUMMARY:

Although most of the recommendations in the final report of the Chairman's Task Force on Affordable Housing can be supported, a number of concerns are evident, primarily:

- 1) The proposed Regional Housing Commission would duplicate a number of housing initiatives currently undertaken by the City while the issue of accountability has not been addressed;
- 2) The use of the Residual Income Method is difficult to translate into definitive numbers of actual housing need in a community; and,
- 3) A number of proposed actions duplicate the current role of the Area Municipality in regard to land use planning initiatives.

Accordingly, the Region and Chairman's Task Force should be requested to provide further clarification on these concerns.



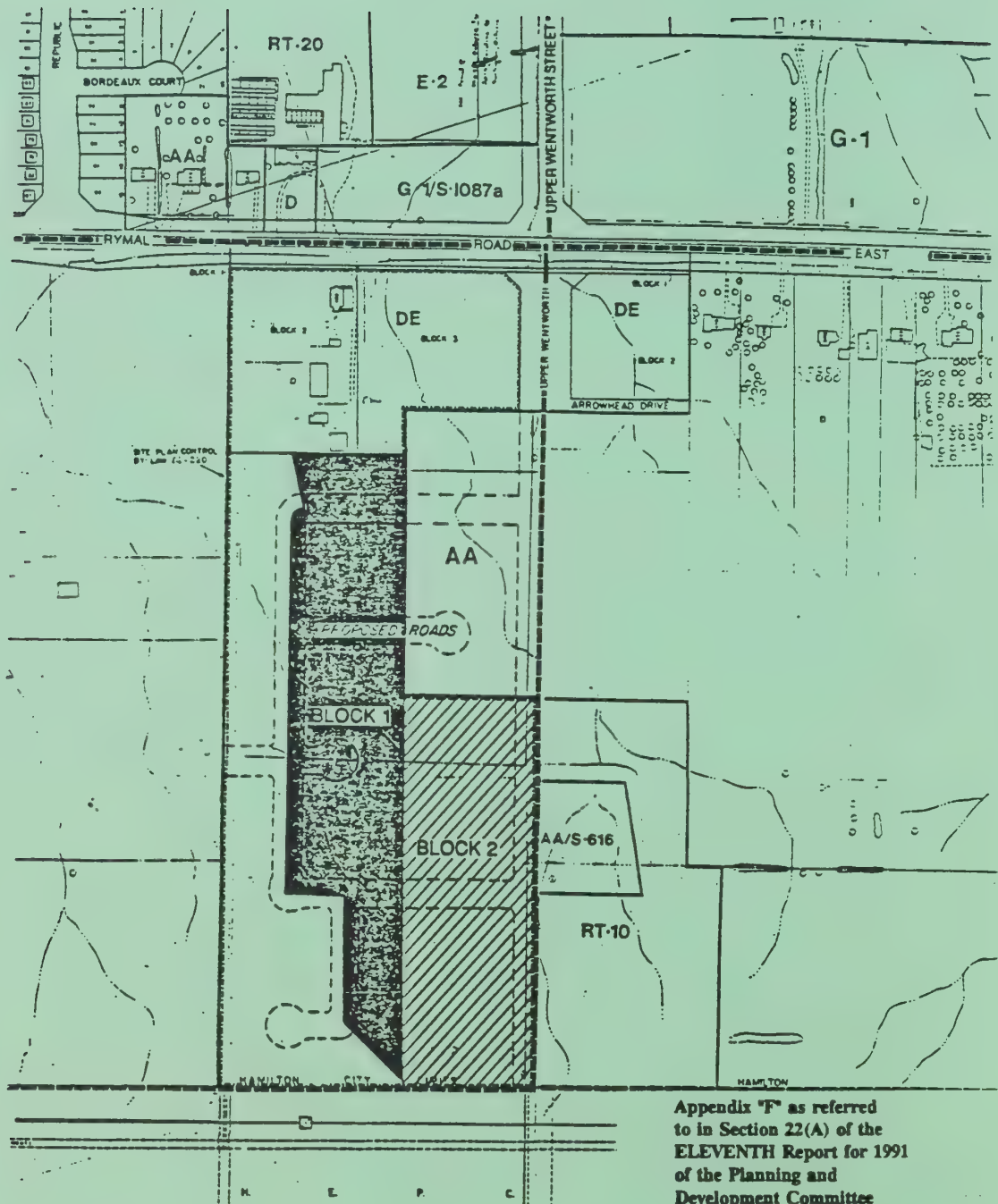
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Site of the Application

Appendix "E" as referred
to in Section 21 of the
ELEVENTH Report for 1991
of the Planning and
Development Committee





Appendix "F" as referred
to in Section 22(A) of the
ELEVENTH Report for 1991
of the Planning and
Development Committee

Legend

Proposed change in zoning from "C" (Urban Protected Residential, etc.) District to:



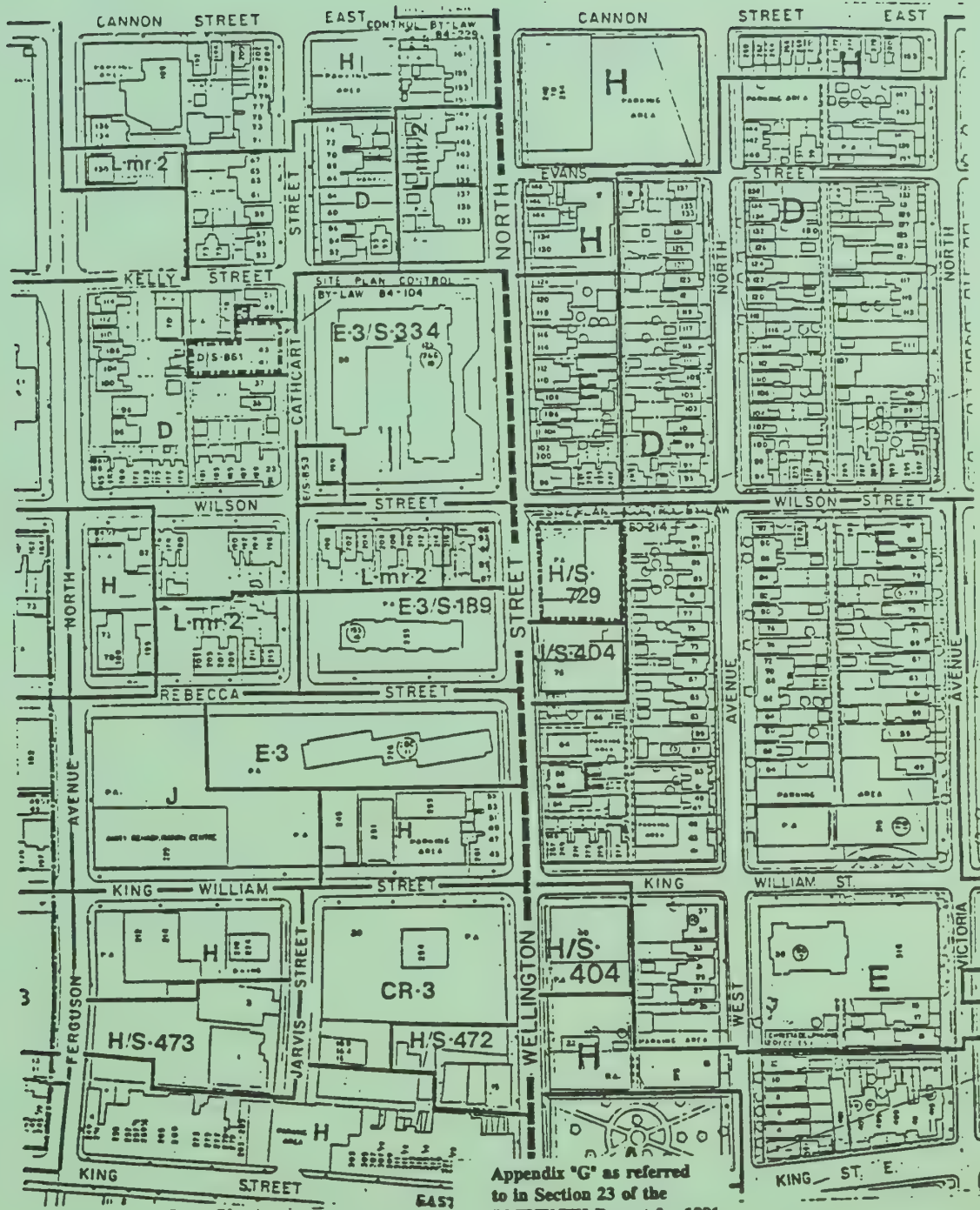
"R-4" (Small Lot Single-Family Detached) District.



"RT-20" (Townhouse-Maisonette) District.

C 80





LEGEND



SITE OF THE APPLICATION

Appendix 'G' as referred to in Section 23 of the ELEVENTH Report for 1991 of the Planning and Development Committee



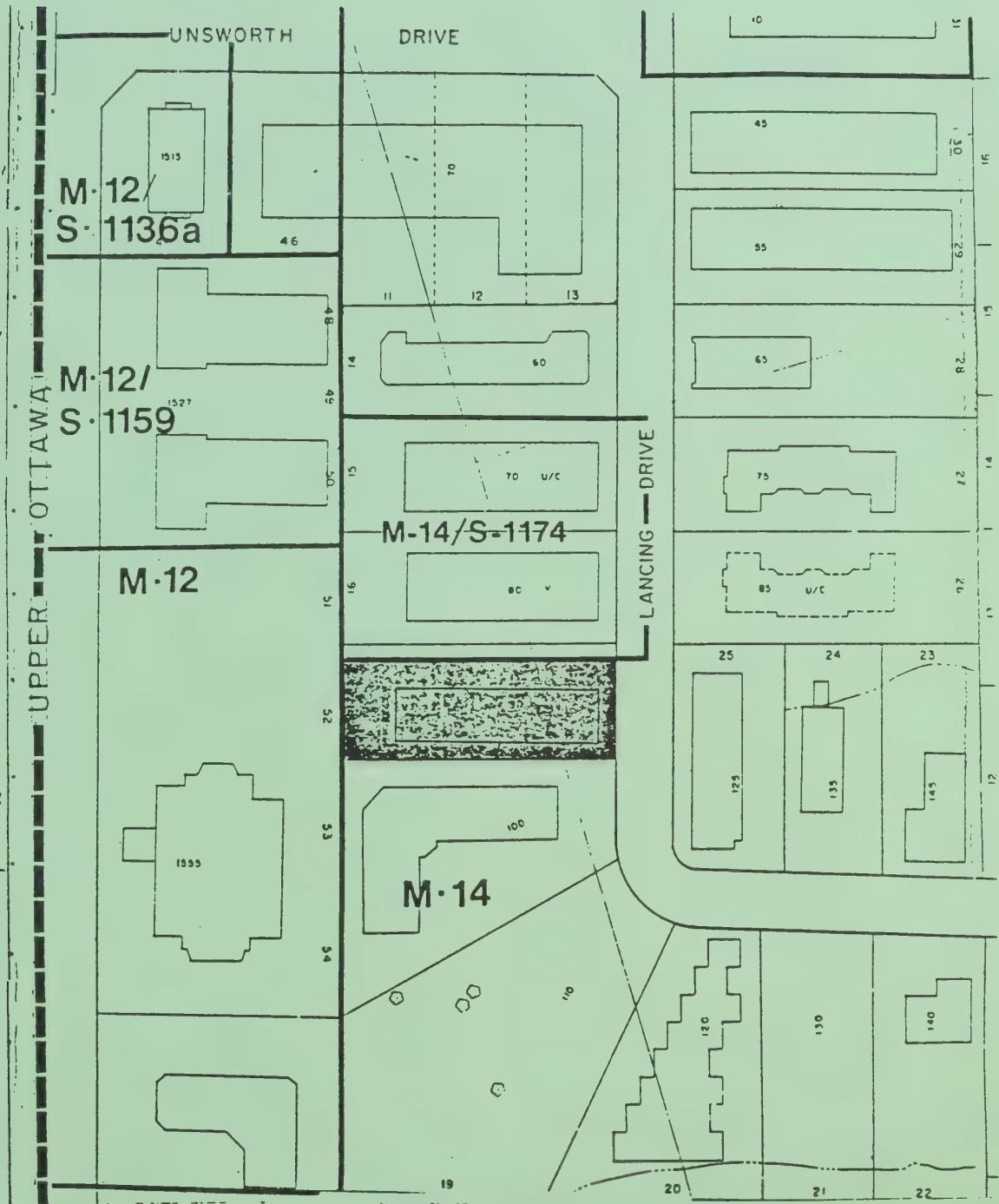


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Site of the Application

Appendix "H" as referred
to in Section 24 of the
ELEVENTH Report for 1991
of the Planning and
Development Committee



Legend

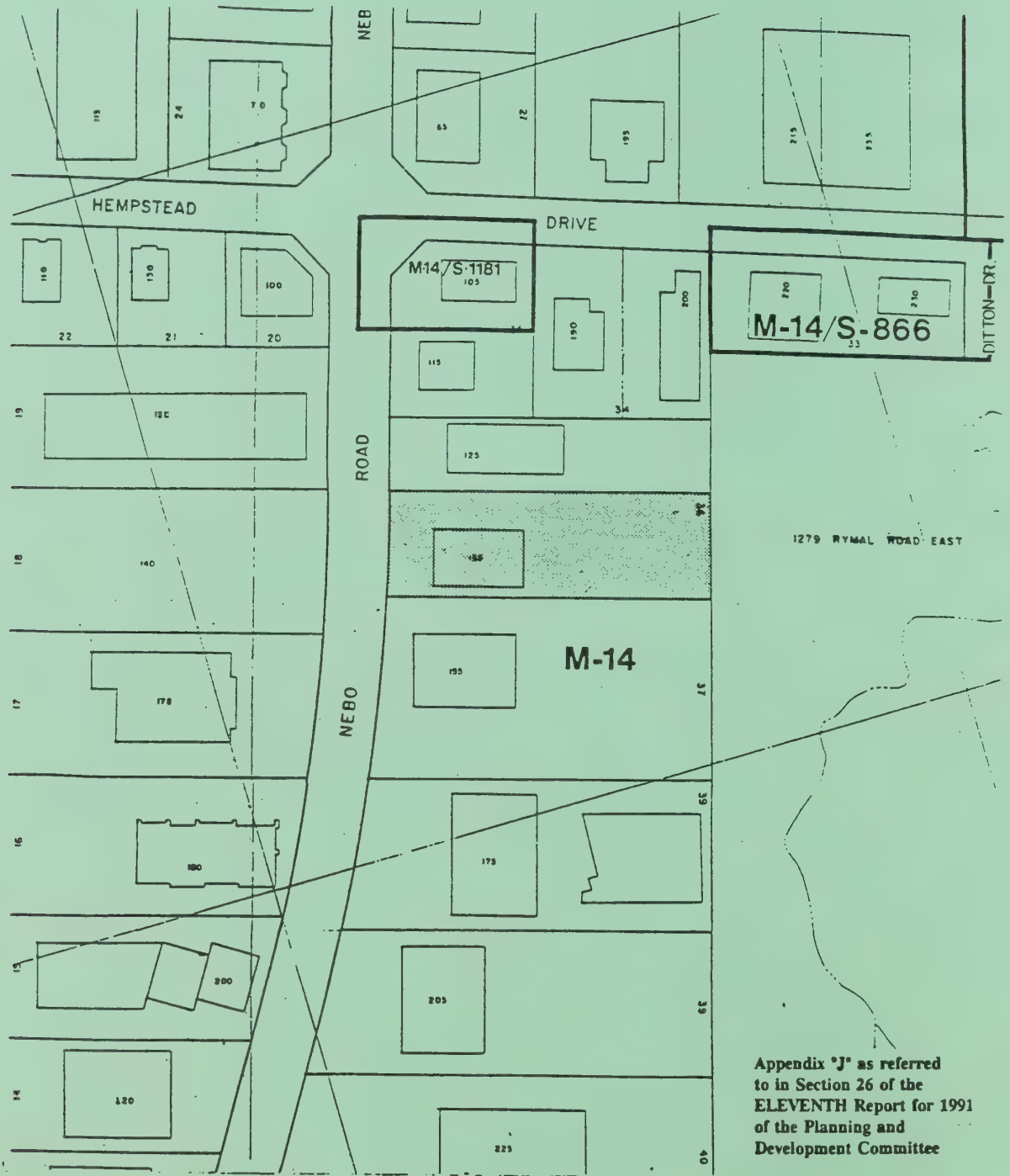


Site of the Application

Appendix "I" as referred
to in Section 25 of the
ELEVENTH Report for 1991
of the Planning and
Development Committee

C 38





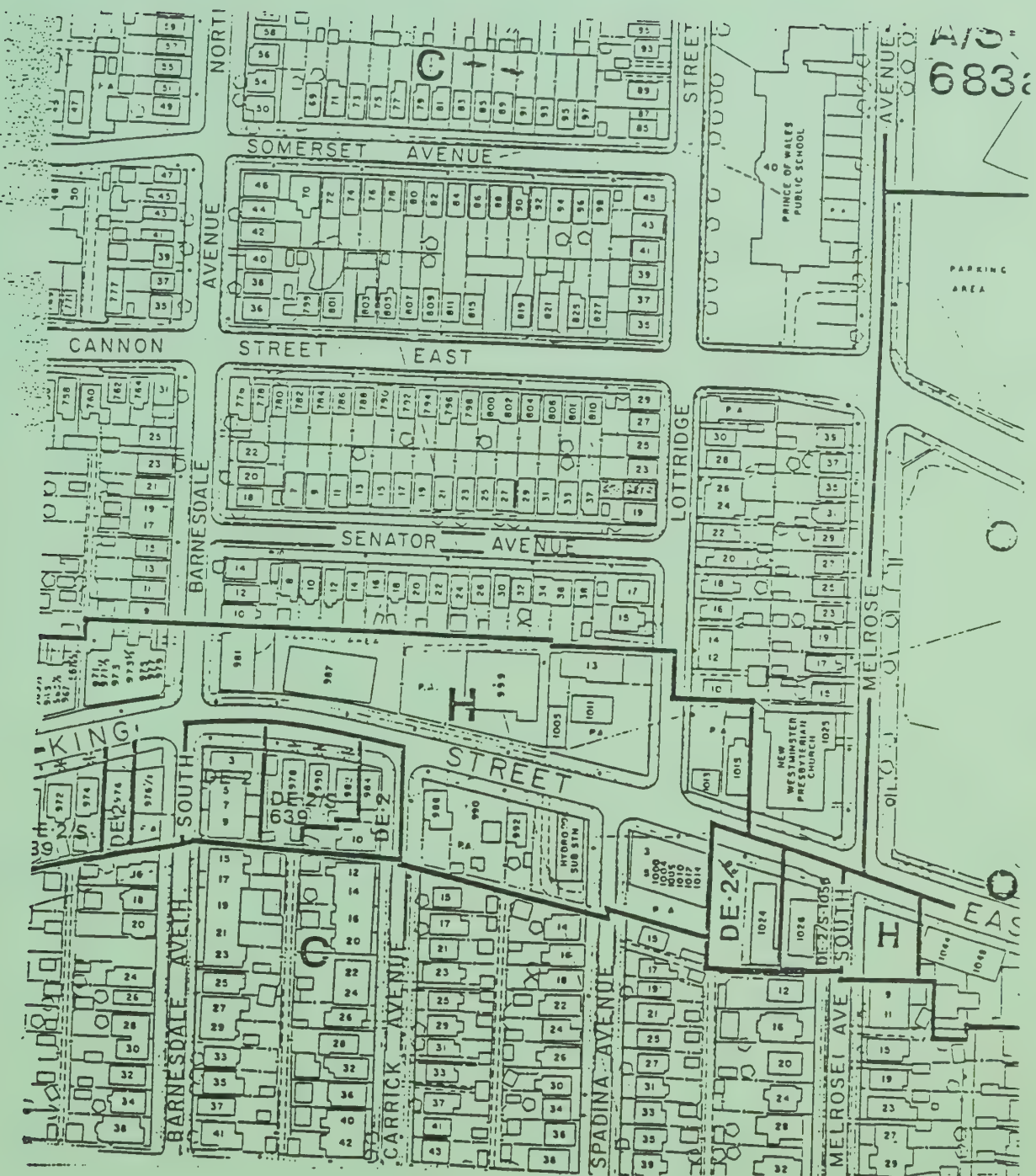
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Site of the Application

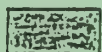
Appendix "J" as referred
to in Section 26 of the
ELEVENTH Report for 1991
of the Planning and
Development Committee





A/S
6838

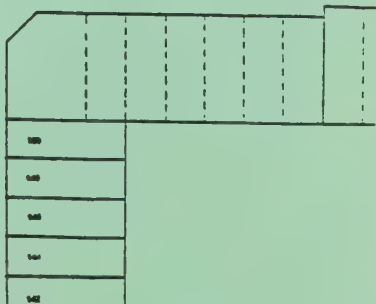
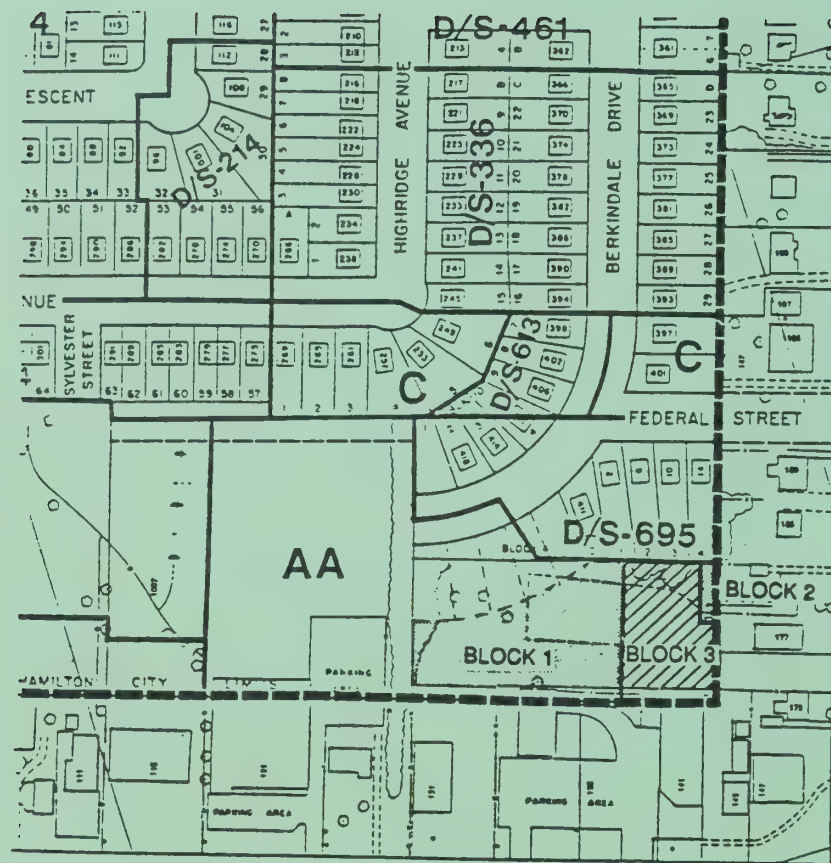
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Site of the Application

Appendix "K" as referred
to in Section 27 of the
ELEVENTH Report for 1991
of the Planning and
Development Committee

ZA 91-06



QUEENSTON ROAD (HIGHWAY #8)

Appendix "L" as referred
to in Section 28 of the
ELEVENTH Report for 1991
of the Planning and
Development Committee

Legend

Proposed changes in zoning from:

BLOCKS 1 & 2



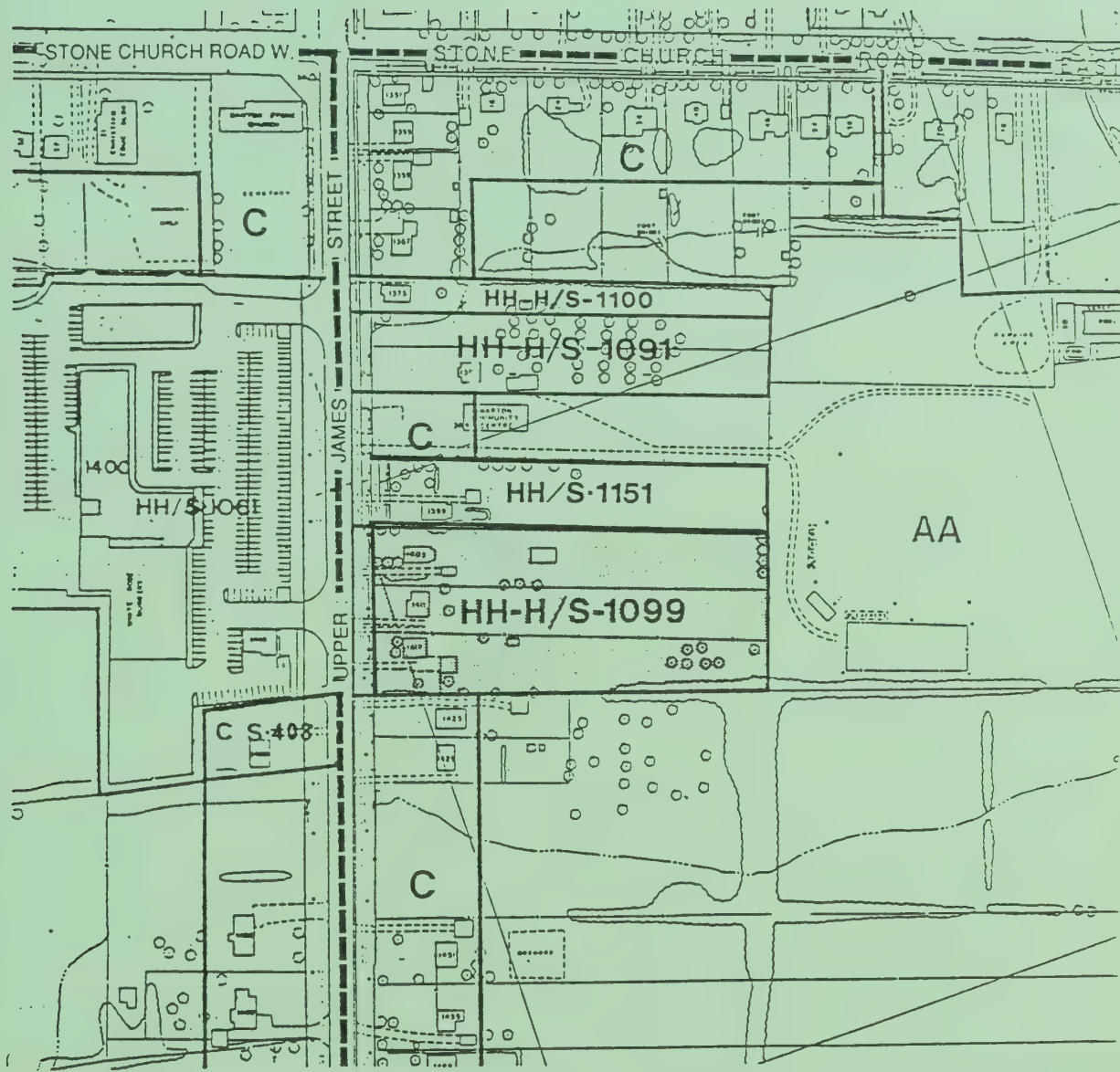
"AA" (Agricultural) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District, Modified.

BLOCK 3



"G-3" (Public Parking Lots) District, Modified to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District, Modified.





Appendix "M" as referred
to in Section 29 of the
ELEVENTH Report for 1991
of the Planning and
Development Committee

Legend



SUBJECT LANDS
(1405, 1411 & 1417 Upper James Street).

C 37



REPORT OF THE INFORMATION SYSTEMS COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Information Systems Committee presents its **FOURTH** Report for 1991 and respectfully recommends:

1. (a) That the Director of Information Systems be authorized to proceed with the Design and Detailed estimate stage for the computer relocation project at a cost not to exceed \$46,000.00;
- (b) That funding be provided from Account No. CF5450-2688-51001 (Computer Environment Improvements);
- (c) That no further expenditures be made with respect to the relocation of the computer until such time as the consultant and the Director of Information Systems report back to the Information Systems Committee on the total cost estimates of the computer relocation project.
2. For the information of the members of City Council, the Committee approved the following:

The Director of Information Systems and Manager of Purchasing were authorized to proceed to call for Requests for Proposals to replace the two IBM central computer processors (4341 O12 and 4381-S92) with a single processor and to replace six 3380 Model E disk drives with used 3380 Model K or 3390 disk drives.

Respectfully Submitted,

**ALDERMAN J. GALLAGHER, CHAIRMAN
INFORMATION SYSTEMS COMMITTEE**

**Susan K. Reeder
Acting Secretary
1991 July 22**

REPORT OF HIS WORSHIP MAYOR ROBERT M. MORROW

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Mayor presents his SECOND Report for 1991 and respectfully recommends:

1. For the information of the members of City Council, the following citizen members have been appointed to serve on the Mayor's Race Relations Committee for the duration of this Council's term of office:

Ken Balasubramaniam

Michael Webber

This report is being sent to City Council in accordance with past practice. The revised Membership Guidelines and Associated Procedures for the Mayor's Race Relations Committee will become effective at the commencement of the next term of Council as adopted by City Council on 1991 March 26.

RESPECTFULLY SUBMITTED

Robert M. Morrow
Mayor

Stella Glover, Secretary
Mayor's Race Relations Committee

1991 July 12

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **FOURTEENTH** Report for 1991 and respectfully recommends:

1. That the list of Terminations from Permanent Positions with the Corporation to 1991 June 28, attached hereto and marked Appendix "A", be approved.
2. (a) That a six member Task Force be struck to review and report back to the Finance and Administration Committee on the Organizational Structure of the City's senior management.

(b) That the following be appointed as members of the Task Force:

Mayor R. M. Morrow
Alderman B. Hinkley
Alderman D. Ross
Alderman T. Cooke
Alderman D. Agostino
Alderman J. Gallagher

RESPECTFULLY SUBMITTED,

**ALDERMAN B. HINKLEY, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

John Thompson, Secretary
1991 July 02

Appendix "A" as referred to in
 Section 1 of the FOURTEENTH Report
 of the Finance & Administration
 Committee for 1991.

THE CORPORATION OF THE CITY OF HAMILTON
 TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Keith Avery	City Clerk	City Clerk's	Retired	41 years, 6 months	31/12/91
Mr. Edward Matthews	City Treasurer	Treasury	Retired 31/03/92	18 years, 9 months	31/12/91
Mr. Lou Sage	Chief Administrative Officer	C.A.O.	Retired	10 years, 11 months	31/12/91

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **FIFTEENTH** Report for 1991 and respectfully recommends:

1. That a purchase order be issued to Wheels, Brake & Equipment, Burlington, in the amount of \$98,264.70 including all applicable taxes, being the only tender received, for the purchase of one (1) Vacuum Catchbasin Cleaner Body Assembly for Fleet Services, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and that this expenditure be financed through the Reserve for the Replacement of Mobile Equipment Account No. CH5X503 00101.
2. (a) That purchase orders be issued to Carter G.M. Trucks, Hamilton, for the replacement and purchase of six (6) two-way dump sanders with ploughs, being the lowest acceptable of ten (10) tenders received, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and that items i), ii) and iii) be financed through the Reserve for Replacement of Mobile Equipment Account No. CH5X503 00101, and item iv) be financed through New Equipment - Sander wing Plough Unit Account No. CF5500 609151005, as follows:
 - (i) In the amount of \$227,352.92 to replace two (2) units #9201/9660 54,000 lb. GVW tandem two-way dump trucks with front ploughs and wings
 - (ii) In the amount of \$216,990.26 to replace two (2) units #9647/75 54,000 lb.GVW tandem two-way dump trucks with underbody ploughs
 - (iii) In the amount of \$88,752.77 to replace one (1) unit #9678 35,000 lb.GVW tandem two-way dump trucks with underbody plough
 - (iv) In the amount of \$108,495.13 to purchase one (1) unit, 54,000 lb.GVW tandem two-way dump truck with underbody plough

- (b) That the additional \$18,500 required for item iv) for Project #74.0 be funded from the Reserve for Capital Projects - Centre #CH00203.
 - (c) That the gross cost of project #85.0 "Concrete Resource Recovery Pit at B.A. Court Yard be reduced by \$18,500 with that amount being transferred to the Reserve for Capital Projects - Centre #CH00203.
- 3. That a purchase order be issued to Taylor Chrysler Dodge, Hamilton, in the amount of \$119,213.60, including all applicable taxes, plus the cost to license, being the lowest of nine (9) tenders received to replace eleven (11) compact size passenger vehicles units #1301/3/7/13/2/6/46/71/421/2/54 for the City Garage, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and that this expenditure be financed through Reserve for Replacement of Mobile Equipment Account No. CH5X921 00101.
- 4. That a purchase order be issued to Hamilton Motor Products, Hamilton, in the amount of \$85,491, including all applicable taxes, plus the cost to license, being the lowest of nine (9) tenders received to replace six (6) mid size passenger vehicles units #1323/4/40/50/1/1423 for the City Garage, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and that this expenditure be financed through Reserve for Replacement of Mobile Equipment Account No. CH5X921 00101.
- 5.
 - (a) That permission be granted to the Arthritis Society of Hamilton to use the City Hall forecourt and related equipment on Thursday, 1991 September 05 from 12:00 noon to 1:30 p.m. for the launching of Arthritis Month.
 - (b) That permission be granted to fly the Arthritis Society Bluebird flag at City Hall from Thursday, 1991 September 05 until Monday, September 30.
 - (c) That the City Clerk be granted the authority to approve of a similar use in future years, provided it does not interfere with any other activity.
- 6.
 - (a) That permission be granted to Wilfred Laurier University Alumni Association to use the City Hall Council Chamber on Tuesday, 1991 August 13 from 7:00-9:00 p.m. for an orientation evening for parents and freshmen from the Hamilton area who will be attending Wilfred Laurier University.
 - (b) That the City Clerk be granted the authority to approve of a similar use in future years, provided it does not interfere with any other activity.

7. That permission be granted to the Big Brother Association of Burlington and Hamilton-Wentworth Inc. to use the City Hall parking lot (directly siding onto Bay Street) on Sunday, 1991 September 29 from 9:00 a.m. to 4:00 p.m. for a pit area and barbecue during their Soap Box Derby as a closing event to Big Brother Month.
8. (a) That the Manager, Property Maintenance Division be authorized and directed to erect a reviewing stand and all other pertinencies on the north east corner of Main and Bay Streets on 1991 Monday, September 02 on the occasion of the Labour Day Parade.
- (b) The permission be granted to the Hamilton and District Labour Council to lay a wreath in front of the Monument to Workers on the City Hall property as part of the Labour Day Parade ceremonies.
- (c) That the City Clerk be granted the authority to approve of a similar use in future years, provided it does not interfere with any other activity.
9. (a) That permission be granted to the Hamilton Black Ribbon Day Committee to use the City Hall forecourt and, in the event of inclement weather the Council Chamber, on Friday, 1991 August 23 from 5:30 p.m. to 7:00 p.m. for a rally to mark the 6th Annual International Black Ribbon Day.
- (b) That the flags of the following Black Ribbon Day Committee member nations be flown at City Hall from 1991 August 22 to 24:
- | | |
|-----------|----------------|
| Estonia | Poland |
| Latvia | Czechoslovakia |
| Lithuania | Hungary |
| Ukraine | Romania |
10. That approval be given to the action taken by the City Clerk in authorizing The Hamilton Board of Education to use City Hall meeting rooms on 1991 July 2, 3 and 4 for a team working on the development of a Race Relations Policy for the Board of Education as follows:

1991 July 2 - Room 219 - 8:30 a.m. - 1:00 p.m.
1991 July 3 - Room 264 - 8:30 a.m. - 11:45 a.m.
1991 July 4 - Room 264 - 8:30 a.m. - 1:00 p.m.

11. That approval be given to the action taken by the Finance and Administration Committee in authorizing the Boris Brott Summer Music Festival to erect a "Renaissance" sign on the City Hall forecourt to draw attention to the Boris Brott Summer Music Festival which will run from 1991 June 8 to August 24.
12. That approval be given to the action taken by the Finance and Administration Committee in authorizing the Hamilton Chapter of Ontario Friends of Schizophrenics to use the City Hall second floor for a wine and cheese reception held on 1991 July 11 from 4:00 p.m. to 6:30 p.m. for the announcement and launch of a fundraising art draw.
13. That civic gold pins be awarded to the following members of the Cardinal Newman Express Boys' Soccer Team for winning the Ontario Federation of Secondary Schools Athletic Association (OFSAA) Soccer Championships for 1991:

Joseph Basic
Jerry Cagalj
Jerry Cipriani
Gary Demedeiros
Marco DiMarco
Vince Iacozza
Tom Karaula
Ante Kutesa
John Mayich
Kevin Moravic
Rob Pomahac
Paul Toffolon

John Benko
Marco Cavallaro
Ante Culina
Dino DeMarantonio
Denis Dujela
Gilbert Janear
Adam Kolodziej
Dino Leo
John Majpruz
Vincent Perri
Dan Smukavich
Steve Turchet

Coaches:
Carmen Dalia

Marc Kovacs

Manager:
Sam Migliaccio

14. That the Council of the Corporation of the City of Hamilton advise the Liquor Licence Board of Ontario that it is aware of the reception of the Commonwealth Pharmaceutical Association Conference being held outdoors on the Plaza area of Jackson Square on 1991 August 25 and has no objection to the issuance of a Special Occasion Permit.

15. (a) That additional repairs to the Truck Frame, Pump House Structure, and Fuel Tanks to Fire Department Pumper #11 in the additional amount of \$4,010. be approved.
 - (b) That this expenditure be charged to Account No. CH 5X522 00103 Reserve for Major Vehicle Repairs.
 - (c) That the total repair cost of \$58,009. to Fire Department Pumper #11 (including \$53,999. for the original approved repair expenditure) be added to the original cost (being \$109,588.) of the Pumper #11 (Vehicle No. 1662) for depreciation purposes.
16. That, as referred to in Section 15 of the TENTH Report of the Transport and Environment Committee, the estimated amount of \$700,000. required to fund the Supplementary Road Programme be accommodated within the existing 1991 Reconstruction Program, Centre No. CF 529142001.
17. (a) That the Summary of Capital Projects in Progress as at 1991 May 31, attached hereto and marked Appendix "A", be received for information.
 - (b) That approval be given to the removal of the following projects from this Status Report as they have been satisfactorily completed and, that they be deleted from Treasury records as at 1991 July 31:

<u>No.</u> (1)	<u>Description</u> (2)	<u>Gross Cost</u> (3)
108	High Level Bridge Street Lighting	155,000.
114	Albright Road Extension	104,000.
267	Public Works Equipment - Vacalls, Steam Jenny, Elephant Vacs	222,000.
268	Underground Fuel Tanks - Various Locations	130,000.
352	King's Forest Parking Lot Improvements	96,000.
353	Bocci Courts at McCulloch, Manson and Rosedale	45,000.
385	Floodlighting - Sam Mason Park	86,000.
387	Gage Park - Perennial Borders	22,000.
392	Churchill Lawn Bowling Club - Lighting System and Replacement	31,000.
702	Downtown Action Plan - Phase II	1,603,000.
704	James Street North Streetscape	1,994,000.

18. (a) That an Authority to Enter City property at the south/east corner of Upper Ottawa and Limeridge Road (No. 5 Fire Station), executed by Regional Officials on 1991 January 29, for the construction of a detour and watermain required for the Red Hill Creek Expressway Project, commencing on the day following City Council approval, until completion of the necessary works, be approved.
- (b) That the Mayor and City Clerk be authorized to execute the necessary documents.
19. That the Lease Agreement approved by City Council at its meeting held 1981 March 31, in adopting Section 2 of the Eighth Report of the Finance Committee, entered into with Winco Steak N' Burger be terminated and that the City Solicitor be authorized to take the necessary action to terminate the lease and recover the \$18,000. in arrears.
20. (a) That the Corporation of the City of Hamilton exercise its option to retain the services of Off-Site Resources Inc. for the Employee Assistance Program for years two and three.
- (b) That years two and three cover the period commencing 1991 July 1 and ending 1993 June 30.
- (c) That the monthly fee for years two and three be calculated based on the employee population on 1991 July 1 and 1992 July 1.
21. That the salary classification for the following non-union position in the Building Department be approved in accordance with Section 12 of the Fifth Report of the Planning and Development Committee adopted by City Council on 1991 March 26.

<u>Position Title</u>	<u>Function</u>	<u>Grade</u>	<u>Salary</u>
Supervisor of Customer Service	To assist the Manager of Customer Services in providing a living environment free of safety, health and fire hazards through plan examination, and advising design professionals on regulatory requirements.	J	\$51,218.96- \$60,379.28

22. That the following salary classification be approved:

<u>Position Title</u>	<u>Function</u>	<u>Grade</u>	<u>Salary</u>
Senior Systems Analyst	Plan, design, analyze and co-ordinate the development, implementation and maintenance of multi-user, multi-task on-line and batch processing computer systems.	I	\$52,490.88- \$61,850.88

23. That Article 2 of the Manual of Procedures for the Joint Job Evaluation Programme, approved by City Council on 1991 March 5, in adopting Section 2 of the Fourth Report of the Financial and Administration Committee, be amended by adding the following paragraph in the section entitled Joint Job Committee:

"Notwithstanding the foregoing, the Employer shall maintain two (2) Management representatives, during the hearing of appeals arising from the installation of the Joint Job Evaluation Programme. All decisions and agreements of the Committee shall be by consensus or by majority vote of 4 to 1".

24. That the contract settlement of the Provincial Agreement for Ontario Marble, Tile, Terrazzo, Cement Masons, Resilient Floor Layers and Their Helpers - The International Union of Bricklayers and Allied Craftsmen and the Ontario Provincial Conference of the International Union of Bricklayers and Allied Craftsmen and the Terrazzo, Tile and Marble Guild of Ontario, Inc., Local Union 16, be received pursuant to the Fair Wage Policy of the City of Hamilton.
25. That the Appointments To and Terminations from Permanent positions with the Corporation to 1991 July 16, attached hereto and marked Appendix "B", be approved.
26. (a) That the City Solicitor be authorized and directed to prepare a By-law to Replace Schedule 19, To Licensing By-law 79-323 Respecting Bill Posters and Bill Distributors, Etc. for presentation to City Council.
- (b) That, upon enactment of the By-law, a letter be forwarded to Canada Post Corporation ("Canada Post") requesting voluntary compliance with the provisions of the By-law in the delivery of advertising flyers and handbills.

- (c) That the Honourable Harvie Andre, Minister responsible for Canada Post Corporation, be requested once again to amend the Canada Post Corporation Act, Revised Statutes of Canada 1985, Chapter C10, to require compliance with Municipal By-laws regulating the distribution of flyers and advertising material.
27. That the resolution from the City of Toronto respecting the Provincial Government removing the Oath of Allegiance to the Crown for all police officers in the Province of Ontario, attached hereto and marked Appendix "C", be endorsed.
28. That the following resolution from the City of Cambridge respecting the Ontario Labour Relations Act Reform be endorsed:
- "WHEREAS the Ontario Government has received the report of the Labour Relations Act Reform Committee, and;
- WHEREAS the Labour Relations Reform Committee report includes a number of recommendations to amend the Labour Relations Act, and;
- WHEREAS the proposed changes to the Labour Relations Act have potentially far reaching effects on union/management relationships including those in the municipal public sector;
- BE IT RESOLVED therefore that the City of Cambridge hereby requests the Province of Ontario to undertake a broad consultation process with all potentially affected parties prior to the introduction of any legislation to amend the Ontario Labour Relations Act, and further;
- Council hereby directs that a copy of this resolution be circulated to all municipalities in the Province of Ontario with a population of 50,000 or more, to the Premier of the Province, the Minister of Labour, our M.P.P. (Mr. Mike Farnan) and to the other M.P.P.'s in the Region of Waterloo."
29. That a contribution in the amount of \$2,000. be made to the President's Advisory Committee on Community Relations, McMaster University, to be used towards the cost of producing and distributing a Neighbours Handbook containing important information such as relevant by-laws and names and numbers of key university and City officials to contact with enquiries, and that this expenditure be funded from Unclassified Expenditure Account No. CH50010 24201.

30. (a) That approval be given to put into place the non-use of sexist language in all meetings of City Committees, Council and in the administration of all City business in City Hall and elsewhere.
- (b) That a Committee consisting of members of the Hamilton Status of Women Sub-Committee and two (2) members of the Finance and Administration Committee be established to draft a policy on the non-use of sexist language.
31. (a) That a staff committee representing the Treasury, Planning, Culture and Recreation, Public Works, Fire, Traffic, and Building Departments and the Hamilton Public Library, chaired by the Building Commissioner, be established to review development proposals involving infill situations or conversions of existing buildings to determine whether the development will increase the demand for municipal services and hence whether a development charge is applicable under Development Charges By-law 90-74.
- (b) That development proposals from the Agomen Group for 303-307 King Street East and 929-931 Fennell Avenue East be forwarded to the staff committee for review.
32. (a) That the City of Hamilton settle Ontario Court (General Division) Action No. 11210/88 by the payment to the Plaintiff, Edith Rice, of the sum of \$18,022.33 inclusive of all damages, interest and costs.
- (b) That the Plaintiff be required to provide a Full and Final Release in a form satisfactory to the City Solicitor.
- (c) That Ontario Court (General Division) Action No. 11210/88 be dismissed without costs.
33. (a) That the City of Hamilton resolve Ontario Court (General Division) Action No. 2756/87 by the payment to the Plaintiffs, Gurdeep Ryatt and Tarsemlal Ryatt, of the sum of \$47,426.22 inclusive of all damages, interest and costs.
- (b) That the Plaintiffs be required to sign a Full and Final Release in a form satisfactory to the City Solicitor.
- (c) That Ontario Court (General Division) Action No. 2756/87 be dismissed without costs.

34. (a) That the City of Hamilton make an Offer to Settle in Ontario Court (General Division) Action No. 2473/83, to resolve the action upon payment to the City of Hamilton of \$38,500.00 inclusive of damages, interest and costs.
- (b) That Ontario Court (General Division) Action No. 2473/83, and all cross and counter-claims be dismissed without costs.
35. (a) That the City of Hamilton resolve Ontario Court (General Division) Action No., 27886/91 by payment of \$60,110.24 to the Plaintiffs, Clara Pascal and Claudine Pascal, inclusive of all damages, interest and cost.
- (b) That the Plaintiffs be required to execute a Full and Final Release of the City of Hamilton in a form satisfactory to the City Solicitor.
- (c) That Ontario Court (General Division) Action No. 27886/91 be dismissed, as against the City of Hamilton, without costs.
36. (a) That the Fire Chief be authorized to offer, on a one time basis, early retirement to members of the Hamilton Fire Department who are eligible for such early retirement under either the Hamilton Municipal Employees Retirement Fund or the Ontario Municipal Employees Retirement System.
- (b) That in order to encourage employees to accept said offer, the Fire Chief be authorized to offer the following enhancements:
- (i) A financial package providing for installment payments of \$3,000. per year for employees choosing to leave voluntarily up to five years prior to their regular retirement date.
- (ii) Employees would elect to take the payments either in annual amounts or in a lump sum which would be discounted to its present value, or in monthly payments through the pension fund.
- (iii) The maximum amount payable to a single employee leaving five years in advance of normal retirement would be \$15,000. while the minimum amount payable to an employee leaving one year in advance of normal retirement would be \$3,000.
- (iii) An employee's eligibility and the amount of enhancement would be established upon the date of request and would not be affected should The Corporation agree to a later retirement date due to training constraints.

37. For the information of the Members of City Council, the Finance and Administration Committee, at its meeting held 1991 July 25, approved of the appointment of Ms. Schellie Maybee and Ms. Carole Marie Zoghaib as citizen members of the Hamilton Status of Women Sub-Committee, to fill two vacancies created by resignations for a term to expire 1991 November 30.
38. That leave be granted to introduce the following Bills:
- | | |
|------------------|---|
| Bill H-33 | A By-law to Authorize Major Maintenance to Civic Buildings. |
| Bill H-34 | A By-law to Authorize the Hydro Street Lighting Conversion to High Pressure Sodium. |
| Bill H-35 | A By-law to Replace Schedule 19, To Licensing By-law 79-323 Respecting Bill Posters and Bill Distributors, Etc. |
| Bill H-36 | A By-law to Authorize Renovation and Retrofit of the Huntington Park Recreation Centre. |
| Bill H-37 | A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton. |

RESPECTFULLY SUBMITTED,

**ALDERMAN B. HINKLEY, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**John Thompson, Secretary
1991 July 25**

City of Hamilton
Treasury

SUMMARY OF CAPITAL PROJECTS IN PROGRESS

Item No. (1)	Project Description (2)	as at May 31, 1991 (000's)				Is the Project on Target? Yes or No Timing	Budget (9)	Centre Number (10)	
		Month/Year of Project		Gross Cost (5)	Expended and Committed (6)				Balance Available (7)
		Start (3)	Finish (4)						
(11-50)	General Administration								
4	Office Renovation - Treasury Dept.	1991	1992	400	-	400	Yes	CF 319141005	
5	Security Improvements - City Hall	9/91	12/91	100	-	100	Yes	CF 319141004	
6	Construction Cost for Accommodation - City Hall	10/91	3/92	100	-	100	Yes	CF 319141003	
7	Replacement of Pool Filtration System - Central Memorial Recreation Centre	06/91	09/91	200	140	60	Yes	CF 319151002	
8A	Major Maintenance to Civic Buildings	1991	1992	750	-	750	Yes	CF 319141001	
8B	Relocation of Info. Systems Computer	1991	1992				No	CF 319141001	
8C	Sprinkler System-Central Services Bldg	1991	1992				Yes	CF 319141001	
9	Data Base and Fourth Generation Computer	1/86	12/93	550	348	202		CF 268651002	
10	Alterations to Recreational Buildings for Handicapped Access	09/86	6/92	100	15	85	No	CF 708641003	
11	Energy Conservation Projects	05/86	12/91*	60	39	11	Yes	CF 328641001	
13	Workstation Furniture (1989)	1/89	12/91	75	62	13		CF 268951001	
17	Treasury Department - Computer Software	08/87	12/91*	142	57	85	Yes	CF 268751002	
26	Computer Software	11/88	12/92	125	16	109	Yes	CF 258851002	
27	Computer Environment Improvements	11/88	12/91*	50	4	46	Yes	CF 258851001	
33	Computer Software Project	1/90	12/92	150	5	145	Yes	CF 259051015	
35	Energy Conservation Project	11/89	1991	60	47	3	Yes	CF 318941016	
36	Major Maintenance To City-Owned Buildings	10/89	1991*	250	94	156	Yes	CF 319041003	

Appendix "A" as referred to in Section 17 of the FIFTEENTH Report of the Finance & Administration Committee for 1991.

City of Hamilton
Treasury

SUMMARY OF CAPITAL PROJECTS IN PROGRESS

(000's)

as at May 31, 1991

Item No. (1)	Project Description (2)	Month/Year of Project		Gross Cost (5)	Expended and Committed (6)	Balance Available (7)	Is the Project on Target?		Centre Number (10)
		Start (3)	Finish (4)				Yes or No		
							Timing (8)	Budget (9)	
<u>General Administration-Ctd.</u>									
37	Computer Software	01/90	12/91*	125	11	114	Yes	Yes	CF 259051013
38	Accommodation Requirements - Law Department	05/91*	11/91*	175	33	142	Yes	Yes	CF 319041004
39	Hamilton Housing Company - Macassa Park Apts. - Replace Heating and Electrical System	1991*	1991*	165	-	165	Yes	Yes	CF 319041005
40	Asbestos Abatement Program	1990	1992	550	19	531	Yes	Yes	CF 319041007
42	Computer Workstation Furniture	01/90	12/91*	50	34	16	Yes	Yes	CF 259051012
43	Accommodation Requirements - City Hall	1991*	1992*	150	-	150	Yes	Yes	CF 319041002
46	Major Maintenance to Civic Buildings - 1989 Allocation	10/89	1991	250	75	175	Yes	Yes	CF 318941003
<u>Protection to Persons & Property</u>									
52	Fire Station - Upper Sherman and Pennell - Land Acquisition	05/91	05/92	800	-	800	Yes	Yes	CF 489150001
53	Computer Aided Dispatch	06/91	12/93	1,300	-	1,300	Yes	Yes	CF 489151003

City of Hamilton
Treasury

SUMMARY OF CAPITAL PROJECTS IN PROGRESS

Item No. (1)	Project Description (2)	as at May 31, 1991 (000's)					Is the Project on Target? Yes or No	Centre Number (10)	
		Month/Year of Project		Gross Cost (5)	Expended and Committed (6)	Balance Available (7)			
		Start (3)	Finish (4)						
		Timing (8)	Budget (9)						
(51-100) Protection to Persons & Property-Ctd.									
54	Breathing Apparatus Conversion	04/91	1993	750	53	697	Yes	CF 489151004	
55	Public Safety Trunking Radio	10/91	03/93	2,500	2	2,498	Yes	CF 489151023	
56	Fire Stn. Stone Church & Upper Wellington - Construction	05/89	05/91	1,400	1,376	24	Yes	CF 488941001	
(101-160) Engineering									
102	1991 Reconstruction Program	01/91	12/92	9,400	7,848	1,552	Yes	CF 529142001	
103	Road Access - Riverdale East Neighbourhood	08/86	12/91*	445	278	167	Yes	CF 528643006	
104	1991 Catch Basin and Drain Connection	01/91	12/91	160	-	160	Yes	CF 529149005	
105	Storm Management Projects	09/91	12/91	127	-	127	Yes	CF 529149006	
109	1988 Reconstruction Program	01/88	12/91*	7,695	7,432	263	Yes	CF 528842001 to CF 528842047	
110	Replacement of Traffic Operations Centre	09/88	03/92	6,830	5,170	1,660	Yes	CF 758841001	
111	Greenhill Ave. Construction of Finished Roadway, Curbs & Sidewalks	08/88	12/91*	860	626	234	Yes	CF 528843002	
112	Storm Drainage Projects	12/88	12/91	180	66	114	Yes	CF 528849001	
113	1989 Reconstruction Program	01/89	12/91	8,200	7,063	1,137	Yes	CF 528942001 to CF 528942056	

City of Hamilton
Treasury

SUMMARY OF CAPITAL PROJECTS IN PROGRESS

Item No. (1)	Project Description (2)	as at May 31, 1991 (000's)				Balance Available (7)	Is the Project on Target?		Centre Number (10)
		Month/Year of Project		Gross Cost (5)	Expended and Committed (6)		Yes or No		
		Start (3)	Finish (4)				Timing (8)	Budget (9)	
(101-150) Engineering - Ctd.									
115	1990 Reconstruction Program	03/90	12/92*	8,800	7,936	864	Yes	Yes	CP 529042001
116	Catch Basin and Drain Connections	03/90	12/91	150	-	150	Yes	Yes	CP 529043007
(201-250) Parking Authority									
201	Parking Facilities - Property Acquisition	02/84	Unknown	1,700	1,431	269	No	Yes	CP 708445001
202	Construction of Parking Facilities	09/85	1991	590	585	5	Yes	Yes	CP 908545001
211	Upgrade Existing Parking Facilities	1990	1991*	100	78	22	Yes	Yes	CP 909045003
212	Study and Design - Existing and Future Parking Projects	1990	1991*	50	-	50	Yes	Yes	CP 909045004
214	Land Acquisition - Various	1990	1991*	400	300	100	Yes	Yes	CP 909045006
216	Land Acquisition General	1991	1991	400	-	400	No	No	CP 909145001
217	Demolition and Site Preparation	1991	1992	275	-	275	Yes	Yes	CP 909145002
218	Upgrading of Existing Parking Facilities	1991	1992	100	32	68	Yes	Yes	CP 909145003
219	Study and Design - Existing and Future Parking Projects	1991	1992	50	-	50	Yes	Yes	CP 909145004

City of Hamilton
Treasury

SUMMARY OF CAPITAL PROJECTS IN PROGRESS

as at May 31, 1991 (000's)									
Item No. (1)	Project Description (2)	Month/Year of Project		Gross Cost (5)	Expended and Committed (6)	Balance Available (7)	Is the Project on Target?		Centre Number (10)
		Start (3)	Finish (4)				Timing (8)	Yes or No (9)	
(251-300) Department of Public Works									
252	New Equipment - Sander Wing Plow Unit		12/91	90	-	90	Yes	Yes	CF 809151005
253	New Equipment - Street Sweeper		12/91*	130	-	130	Yes	Yes	CF 809151006
254	New Equipment - Self Mounted and Power Road Direction		09/91	50	32	18	Yes	Yes	CF 809151007
255	New Equipment - Concrete Grinder		12/91	35	-	35	Yes	Yes	CF 809151008
256	Concrete Resource Recovery Pit - Bernie Arbour Court Yard	05/91	12/91	300	-	300	Yes	Yes	CF 809151009
257	Major Maintenance Grounds			50	-	50			CF 809143011
258	Hydro Street Lighting Conversion to High Pressure Sodium	05/91	12/91	1,102	-	1,102	Yes	Yes	CF 809143007
259	Various Lots - Construction/Repairs			114	26	88	Yes	Yes	CF 809145012
260	Fleet Services - Shop Equipment		12/91	39	32	7	Yes	Yes	CF 809151010
269	Renovations to Office & Yard & Ventillation System								
	- Fleet Services	03/90	12/91*	169	113	56	Yes	Yes	CF 849041012
270	Upper Ottawa Depot	03/90	12/91	359	38	321	Yes	Yes	CF 809041009
271	Construct/Repair Parking Lots	03/90	08/91*	107	95	12	Yes	Yes	CF 829045009
272	Emergency Crest Stabilization	04/90	12/91*	429	368	61	Yes	Yes	CF 829049003

City of Hamilton
Treasury

SUMMARY OF CAPITAL PROJECTS IN PROGRESS

Item No. (1)	Project Description (2)	as at May 31, 1991 (000's)					Is the Project on Target?		Centre Number (10)
		Month/Year of Project		Gross Cost (5)	Expended and Committed (6)	Balance Available (7)	Yes or No		
		Start (3)	Finish (4)				Timing (8)	Budget (9)	
		Department of Culture & Recreation							
301	Pier Four Park - Harbour Front	09/91	12/93	1,000	-	1,000	Yes	Yes	CF 419154007
302	Huntington Park Renovation/Retrofit	01/92	10/92	3,200	-	3,200	Yes	Yes	CF 709141016
303	Hamilton Tennis Building Replacement	1991	unknown	300	-	300	Yes	Yes	CF 709141006
304	Dundurn Cockpit Restoration	07/91	1993	260	-	260	Yes	Yes	CF 719141008
305	Whitehern Restoration	07/91	1993	500	-	500	Yes	Yes	CF 719141007
306	Dundurn Castle Restoration	07/91	1993	600	-	600	Yes	Yes	CF 719141002
307	Hamilton Playstructure Development	1991	1995	200	104	96	Yes	Yes	CF 709152001
309	West Mountain Twin Pad Arena	1990	1992	9,668	38	9,630	No	No	CF 709041012
311	Bike Paths (Phases 2, 3 & 4)	05/87	Unknown*	990	143	847	Yes	Yes	CF 708743001-002
315	Senior Citizens Drop-In-Centre (Lake Avenue)	05/88	12/91	100	8	92	Yes	Yes	CF 708941003
318	Y.W.C.A. Capital Grant (1989 to 1993)	01/89	12/93	750	300	450	Yes	Yes	CF 259041006
319	Hamilton Playstructure Development - 1991	11/90	11/92	200	104	96	N/A	Yes	CF 709152001
321	Senior Citizens Centre	1990	1990	3,500	183	3,317	No	No	CF 709041013
322	Twinning Mountain Arena	1990	1990	2,012	1,857	155	Yes	Yes	CF 709041011

City of Hamilton
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SUMMARY OF CAPITAL PROJECTS IN PROGRESS

Item No. (1)	Project Description (2)	as at May 31, 1991 (000's)					Is the Project on Target? Yes or No	Centre Number (10)	
		Month/Year of Project		Gross Cost (5)	Expended and Committed (6)	Balance Available (7)			
		Start (3)	Finish (4)						
									Timing (8)
(351-400) Parks Division									
351	Renovate Chedoke Golf Course Parking Lot		10/91*	204	99	105	Yes	Yes	CF 628945001
356	Chedoke Golf Course Storage and Workshop	06/86	06/92	161	-	161	No	Yes	CF 628641001
357	Ivor Wynne Stadium Artificial Turf Replacement	05/91	06/91	1,405	1,208	197	Yes	Yes	CF 629154008
358	Gage Park Pathway Lighting Phase III	06/91	09/91	31	-	31	Yes	Yes	CF 629154006
359	Victoria Park Floodlighting	03/91	05/91	55	-	55	Yes	Yes	CF 629154005
360	Park Development and Redevelopment by Priority	01/91	06/92	1,214	-	1,214	Yes	Yes	CF 629154004
361	Chedoke Golf Course - Repair to Gabion Wall	1991	1992	60	-	60	Yes	Yes	CF 629154003
362	Ivor Wynne Stadium - Replace Lighting	1991	1991	52	-	52	Yes	Yes	CF 629154002
363	Mohawk Sports Park Construction of Utility Building	07/87	10/91*	222	193	29	Yes	Yes	CF 628754001/004
364	Ivor Wynne Stadium Renovations and Repairs	1991	1991	159	-	159	Yes	Yes	CF 629154001
365	Mohawk Sports Park Floodlighting and Bleachers - Track Review	1991	1991	470	-	470	Yes	Yes	CF 619154011

City of Hamilton
Treasury

SUMMARY OF CAPITAL PROJECTS IN PROGRESS

Item No. (1)	Project Description (2)	as at May 31, 1991 (000's)					Is the Project on Target?		Centre Number (10)
		Month/Year of Project		Gross Cost (5)	Expended and Committed (6)	Balance Available (7)	Yes or No		
		Start (3)	Finish (4)				Timing (8)	Budget (9)	
(351-400) Parks Division-Ctd.									
366	Mountain Drive Park Repairs	05/88	12/91*	100	24	76	Yes	Yes	CF 628854003
372	T.B. McQueston Park Development - Stage 1	05/88	12/92	50	40	10	Yes	Yes	CF 628854004
376	Mohawk Sports Park, Irrigation System, Bleachers and Floodlighting	05/89	12/92	400	143	257	Yes	Yes	CF 628954001
379	Sam Lawrence Park - Upgrading	05/89	12/93	2,325	442	1,883	Yes	Yes	CF 628954002
381	Park Development and Redevelopment by Priority	05/89	10/91*	488	459	29	Yes	Yes	CF 628954007
384	Renovations/Repairs - Ivor Wynne Stadium	03/90	08/91*	345	179	166	Yes	Yes	CF 629054017
386	Park Development and Redevelopment	03/90	08/91*	1,288	895	393	Yes	Yes	CF 629054012
388	Red Hill Creek Master Plan Implementation	03/90	06/91	1,157	109	1,048	Yes	Yes	CF 629054013
389	T.B. McQueston Park Development	03/90	? *	170	136	34	Yes	Yes	CF 629054014
390	Fieldhouse - Mohawk Sports Park	03/90	12/91	440	29	411	Yes	Yes	CF 629054018
391	Facilities Building - Gage Park	03/90	12/91*	460	35	425	Yes	Yes	CF 629054019
393	Mountain Park - Crest Stabilization Plan	03/90	12/92	250	-	250	Yes	Yes	CF 629049004

City of Hamilton
Treasury

SUMMARY OF CAPITAL PROJECTS IN PROGRESS

Item No. (1)	Project Description (2)	as at May 31, 1991 (000's)					Is the Project on Target?		Centre Number (10)
		Month/Year of Project		Gross Cost (5)	Expended and Committed (6)	Balance Available (7)	Yes or No		
		Start (3)	Finish (4)				Timing (8)	Budget (9)	
(401-450) H.E.C.F.I.									
(401-410) Corporate									
402	Automated Facilities Management System - Corporate	04/91	12/91	75	-	75	Yes	Yes	CF 929151020
405	Automated Facilities Management Computer System	10/90	12/91	75	25	50	Yes	Yes	CF 929051008
406	T.V. Monitor Message System	06/89	12/91*	50	-	50	Yes	Yes	CF 928941007
(411-420) Copps Coliseum									
411	Victor K. Copps Trade Centre/Arena Renovations	08/83	12/91	41,429	40,616	813	Yes	Yes	CF 928341001-019
412	New Equipment & Renovations	07/87	12/91	130	89	41	Yes	Yes	CF 928741001
413	New Equipment	04/88	12/91	120	88	32	Yes	Yes	CF 928841002
414	New Equipment & Renovations	06/89	12/91	97	82	15	Yes	Yes	CF 928941004
415	Private Boxes - Study	09/90	12/91	50	29	21	Yes	Yes	CF 929051002
416	Satellite Dish	10/90	12/91	100	2	98	No	Yes	CF 929051003
417		10/90	09/91	130	84	46	Yes	Yes	CF 929051004
(421-430) Hamilton Place									
421	Great Hall Sound Console	11/88	12/91	202	77	125	Yes	Yes	CF 928851003
422	Great Hall Banners	05/89	**	130	3	127	No	Yes	CF 928941001
423	Furniture, Equipment & Renovations	07/90	12/91	160	158	4	Yes	Yes	CF 929051005

City of Hamilton
Treasury

SUMMARY OF CAPITAL PROJECTS IN PROGRESS

Item No. (1)	Project Description (2)	as at May 31, 1991 (000's)					Is the Project on Target?		Centre Number (10)
		Month/Year of Project		Gross Cost (5)	Expended and Committed (6)	Balance Available (7)	Yes or No		
		Start (3)	Finish (4)				Timing (8)	Budget (9)	
(401-450)	H.E.C.F.I.-Ctd.								
(421-430)	Hamilton Place-Ctd.								
424	Great Hall Banners	09/90	**	570	-	570	No	Yes	CF 929041011
425	Great Hall Sound & Lighting Equipment & Chairs	09/91	09/92	83	-	83	Yes	Yes	CF 929151016
426	Studio Theatre Equipment & Chairs	05/91	05/92	80	34	46	Yes	Yes	CF 929151021
427	Various Equipment & Renovations	09/91	09/92	65	-	65	Yes	Yes	CF 929151022
(431-440)	Convention Centre								
433	Equipment & Renovations	06/89	12/91	320	280	40	Yes	Yes	CF 928941006
434	Furniture, Equipment, Renovations	07/90	12/91	62	7	55	Yes	Yes	CF 929051007
435	Revisions, Replacements for Building & Equipment	09/91	09/92	75	-	75	Yes	Yes	CF 929151015
437	Equipment & Renovations	09/91	09/92	10	-	10	Yes	Yes	CF 929151017
(441-450)	C.U.P.								
442	Replacement and Overhaul - Equipment	06/89	09/91*	115	102	13	Yes	Yes	CF 928941005
443	Equipment & Renovations	07/90	09/91*	90	87	3	Yes	Yes	CF 929041001
444	City Hall - Fan Plenum Retrofit	09/91	06/92	90	-	90	Yes	Yes	CF 929151011
445	Hamilton Convention Centre - Light Control	10/91	04/92	25	-	25	Yes	Yes	CF 929151012
446	City Hall - Additional Transformer	10/91	06/92	50	-	50	Yes	Yes	CF 929151013
447	Capital Replacements/Revisions & New Equipment	02/91	06/92	70	33	37	Yes	Yes	CF 929151014

City of Hamilton
Treasury

SUMMARY OF CAPITAL PROJECTS IN PROGRESS

Item No. (1)	Project Description (2)	as at May 31, 1991 (000's)					Is the Project on Target? Yes or No	Centre Number (10)	
		Month/Year of Project		Gross Cost (5)	Expended and Committed (6)	Balance Available (7)			
		Start (3)	Finish (4)						
									Timing (8)
(451-500) Hamilton & Scourge									
452	Laboratory Facility & Equipment	06/89	12/90	150	1	149	Yes	CF 738841002	
453	Hamilton & Scourge - Jason Project	03/90	03/91	410	389	21	Yes	CF 738904001	
(501-550) Hamilton Public Library Board									
502	Automation and Collection Access: Phase III	1991		223	-	223		CF 919151019	
503	Terryberry Library Addition - 2nd Floor	08/87	07/91*	2,471	1,962	509	Yes	CF 918741001	
504	Office Automation - 1991 Phase			75	-	75		CF 919151018	
508	Furniture & Equipment - Office Computerization	09/88	08/91*	40	8	32	Yes	CF 918851002	
509	Furniture & Equipment - Office Computerization	06/89	07/91*	20	12	8	Yes	CF 918941010	
510	Furniture & Equipment - Office Automation	09/90	02/91*	13	4	9	Yes	CF 919051008	
511	Automation of Information Files	09/90	12/91	131	14	117	Yes	CF 919051009	
512	Office Automation	09/90	08/91*	72	64	8	Yes	CF 919051010	
513	Automation & Collection Access - Phases II-V	09/90	12/91*	181	55	126	Yes	CF 919051011	
514	Sherwood Library Branch Relocation	05/90	08/91*	356	348	8	Yes	CF 919041014	
515	Library - Land Acquisition South East Mountain	06/90	12/91	555	45	510	Yes	CF 919041010	

City of Hamilton
Treasury

SUMMARY OF CAPITAL PROJECTS IN PROGRESS

Item No. (1)	Project Description (2)	as at May 31, 1991 (000's)					Is the Project on Target?		Centre Number (10)
		Month/Year of Project		Gross Cost (5)	Expended and Committed (6)	Balance Available (7)	Yes or No		
		Start (3)	Finish (4)				Timing (8)	Budget (9)	
(601-680) Planning									
601	Enclaves Clearance	08/87	12/91	3,000	1,669	1,331	Yes	Yes	CF 308750001
(701-760) Community Development									
701	Downtown Action Plan - Phase III B	07/86	12/91*	1,300	1,241	59	Yes	Yes	CF 428603001
706	Downtown Action Plan - Phase IV	05/87	12/92*	1,199	787	412	Yes	Yes	CF 428603001
707	O.N.I.P. Corktown/Stinson	05/87	12/91*	1,028	1,000	28	Yes	Yes	CF 428701001
708	Facade Improvement Programme	07/87	12/90	800	481	319	Yes	Yes	CH 4X001 00321
711	Commercial Improvement Programme	06/87	12/91	2,500	943	1,557	Yes	Yes	CF 428705001
715	P.R.I.D.E. Programs - Crown								
	Point West/Stipeley - Phase II	05/89	12/92	700	210	490	Yes	Yes	CF 428902002
717	Central/Beasley Housing								
	Intensification Program	1990	1993	1,860	-	1,860	Yes	Yes	
718	P.R.I.D.E. Program -								
	Beasley/Central	1990	1992	627	54	573	Yes	Yes	CF 429002003
719	Barton Street Demonstration								
	Loan Program	11/90	Unknown	200	-	200	Yes	Yes	
				157,943	99,788	58,155			
				-----	-----	-----			

Notes: * Indicates date has changed from previous reporting.

** City Treasurer is suggesting these funds be used for asbestos removal.

22 July 1991

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. John Elder	Manager of Events Delivery (H-19)	H.E.C.F.I.	New position - due to reorganization	\$54,894.32 to \$64,507.04	06/05/91
Ms. Mary Howarth	Secretary - Entertainment Program and Sales (H-8)	H.E.C.F.I.	New position - due to reorganization	\$23,400.00 to \$27,320.80	29/04/91
Mr. Peter McFarland	Foreman/Woman III (13-C)	Public Works	Replacing Mr. J. Fortino - retired	\$32,886.88 to \$37,768.12	24/06/91
Mr. Reginald Meiers	Operation Engineer (A-G)	Public Works	New Position Council Approved April 30, 1991	\$58,056.44 to \$68,428.36	20/06/91
Mr. Hoda Kayal	Project Manager (A-K)	Property	Replacing Mr. M. Shah - promoted	\$44,267.16 to \$52,111.28	24/06/91
Mr. David Watkins	Promotion & PR Officer (H-16)	H.E.C.F.I.	New Position - due to reorganization	\$44,269.16 to \$52,111.28	21/05/91

Prepared 16/07/91

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. Dennis Arnott	Superintendent of Parks Maintenance	Public Works	Retired	33 years, 10 months	28/06/91
Ms. Sandra Bagruss	Solicitor	Law	Terminated	1 years, 9 months	24/06/91
Mr. Thomas Burrows	Manager, Theatre (Hamilton Place)	H.E.C.F.I.	Retired	12 years, 6 months	28/06/91
Mr. Ray Duguay	Foreman I	Public Works	Retired	30 years, 10 months	28/06/91
Mr. Grant Holle	Labourer	Parking Authority	Resigned	2 years	17/05/91
Mr. Fraser Reynolds	Budget Co-ordinator	Building	Retired	35 years	28/06/91
Mr. Nick Spisak	Foreman I	Public Works	Retired	24 years, 5 months	28/06/91
Ms. Marsha Taylor	Administrative Assistant	H.E.C.F.I.	Resigned	3 years, 3 months	14/06/91
Mr. David Watkins	Promotion/PR Officer	H.E.C.F.I.	Resigned	3 years	04/06/91
Mr. Ron Wells	Foreman II	Public Works	Retired	36 years, 2 months	28/06/91

Prepared 12/07/91



City of Toronto

Department of the City Clerk
City Hall
Toronto, Ontario
Canada M5H 2N2

Telephone: (416) 392-7020
Fax: (416) 392-6990
TDD: (416) 392-7354

Appendix "C" as referred to in
Section 27 of the FIFTEENTH Report
of the Finance & Administration
Committee for 1991.

Barbara G. Caplan
City Clerk
Sydney K. Baxter
Deputy City Clerk

Reply to: C. Dodds, 392-7031

Please refer to: 910527-38:4

June 4, 1991

TO: ALL MUNICIPALITIES IN ONTARIO WITH
POPULATIONS OVER 50,000

At its meeting held on May 27 and 28, 1991, City Council adopted the following motion of Councillor Walker respecting the Provincial Government removing the Oath of Allegiance to the Crown for all police officers in the Province of Ontario:

"Whereas the Premier of Ontario and the Provincial Cabinet secretly removed the Oath of Allegiance to the Crown for all police officers in the Province of Ontario;
and

Whereas the Premier and the NDP Government did this without any public consultation, most particularly with individual police associations, police officers, and most importantly the general public; and

Whereas all new citizens, upon assuming citizenship, swear allegiance to the Queen or the Crown of Canada; and

Whereas Section 52(1) of the Constitution Act, 1982, provides that the constitution of Canada is the supreme law of Canada, and any law that is inconsistent with the provisions of the Constitution is to the extent of the inconsistency, of no force and effect; and

Whereas Section 9 of the Constitution Act, 1982, provides that the Executive Government and Authority of and over Canada is declared to continue and be vested in the Queen; and

Whereas the Interpretation Act provides that any reference to 'Her Majesty, the Queen', or 'the Crown' means the Sovereign of the United Kingdom, Canada, and Her other Realms and Territories, and the Head of the Commonwealth; and

Whereas the Governor General is the representative of Her Majesty The Queen in Canada; and

Whereas the Lieutenant Governor for the Province of Ontario is appointed by and shall hold office during the pleasure of the Governor General; and

Whereas Section 135 of the Police Services Act authorizes the Lieutenant Governor in Council to make regulations prescribing forms of oaths or affirmations of office and secrecy for members of Police Services Boards, police officers, auxiliary members of police forces and special constables; and

Whereas the Provincial Government has filed a regulation made under the Police Services Act prescribing new forms of oath or affirmation; and

Whereas Section 12 of the Regulations Act requires every Regulation to be referred to the Provincial Standing Committee on Regulations and that the said Committee examine the scope and method of the exercise of delegated legislative power;

Therefore be it resolved that:

1. City Council considers it necessary for the courts or the Provincial Standing Committee on Regulations to consider whether or not the Regulation in question is unconstitutional and beyond the authority of the Province to promulgate and is of no force and effect as it is inconsistent with the Constitution of Canada including the Canadian Charter of Rights and Freedoms;
2. City Council request the Provincial Standing Committee on Regulations to review the purported exercise of delegated legislative power in respect of the regulation in question and recommend to the Legislative Assembly of Ontario that such regulation be repealed;
3. The City Solicitor be authorized to join with the Municipality of Metropolitan Toronto in seeking declaratory relief in the courts respecting the constitutionality of the regulation in question, if such repeal is not forthcoming; and
4. This motion be forwarded to all municipalities with a population of over 50,000 and all members of the Association of Municipalities of Ontario."

Council's action is forwarded to you for your information and any action.

Yours truly


City Clerk


IR

Mr. Todd Decker, Clerk, Standing Committee on Regulation and Privacy Bills, Room 1521,
Queen's Park, Toronto, Ontario, M7A 1A2

All Municipalities in Ontario with a population over 50,000

Ms. Kathleen Hunter Executive Director, Association of Municipalities of Ontario, 100
University Avenue, Ste. 805, Toronto, Ontario, M5J 1V6

cc: City Solicitor
Metropolitan Toronto Solicitor
Metropolitan Toronto Clerk

URBAN MUNICIPAL
The Corporation of the City of Hamilton

22 1991
BY-LAW NO. 91-

GOVERNMENT DOCUMENTS
TO ALTER SANATORIUM ROAD FROM WEST 21ST STREET TO GARTH STREET

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of the Municipal Act, R.S.O. 1980, Chapter 302, to alter, establish and lay out any highway or part of a highway under its jurisdiction;

AND WHEREAS it is necessary to alter Sanatorium Road from west 21st Street to Garth Street, as described in more detail in Schedule "A" attached hereto;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 14 of the 9th Report of the Transport and Environment Committee at its meeting held on the 25th day of June 1991, authorized the reconstruction and altering of the highway as described in Schedule "A" attached hereto;

AND WHEREAS Notice of this by-law was published as required by Section 301 of the Municipal Act;

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, whether in objection to, or in support of this by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The reconstruction of Sanatorium Road from West 21st Street to Garth Street, as described in Schedule "A" attached hereto and forming part of this by-law, may be proceeded with.

2. The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to sign all documents and do all things necessary to implement these works.

PASSED this

day of

A.D. 1991.

City Clerk

Mayor

SCHEDULE "A"

To

By-law No. 91-

DESCRIPTION OF WORK TO BE UNDERTAKEN

Sanatorium Road

- altering Sanatorium Road from West 21st Street to Garth Street
- proposed widening to three lanes to provide a left-turn lane at Garth Street

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 91-

**TO AUTHORIZE THE SALE OF THE CLOSED PORTIONS OF THE FIRST
EAST/WEST ALLEYWAY SOUTH OF MAIN STREET EAST
BETWEEN BALMORAL AVENUE AND GROSVENOR AVENUE, REGISTERED
PLAN NO. 586 DESIGNATED AS PARTS 2,3,5,6,8, AND 9 ON PLAN 62R-10227**

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 301 of The Municipal Act, Revised Statutes of Ontario, 1980, Chapter 302, to stop-up, and sell any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 5 of the 8th Report of the Transport and Environment Committee on March 8, 1988 authorized the City to stop-up, and close the highway and offer to sell the soil and freehold therein as hereinafter described, the extent and boundaries of which are more particularly described in Schedule "A" attached hereto;

AND WHEREAS the unopened road allowance known as the East/West Alley, the extent and boundaries of which are more particularly described in Schedule "A" annexed hereto, was stopped-up and closed by Judge's Order registered on 26, February, 1991 as Instrument No. 76169.

AND WHEREAS the George Badura and Morris and Roxanne Felicetti are the abutting owners to the south of East/West Alley.

AND WHEREAS Diego and Mary Sebastianutti, Michael and Jessie Wyslobicky and 482115 Ontario Limited are the abutting owners of the lands to the north of the East/West Alley.

AND WHEREAS Notice of the said by-law has been published as required by Section 301 of the said Municipal Act.

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, no matter whether in objection to or in support of this by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. (a) Subject of section 2, the soil and freehold in those portions of the stopped-up and closed road allowance known as the East/West Alley designated as Part 2 on Plan 62R-10227 may be offered for sale to the owner of the land abutting to the south, being George Badura or his successor or assigns.
- (b) Subject of section 2, the soil and freehold in those portions of the stopped-up and closed road allowance known as the East/West Alley designated as Part 3 on Plan 62R-10227 for sale to the owner of the land abutting to the south, being Morris and Roxanne Felicetti, or their successor or assigns.
- (c) Subject of section 2, the soil and freehold in those portions of the stopped-up and closed road allowance known as the East/West Alley designated as Part 5 on Plan 62R-10227 for sale to the owners of the land abutting to the north, being Diego and Mary Sebastianutti, or their successors or assigns.

- (d) Subject of section 2, the soil and freehold in those portions of the stopped-up and closed road allowance known as the East/West Alley designated as Part 6 on Plan 62R-10227 for sale to the owner of the land abutting to the north being Michael and Jessie Wyslobicky or their successors or assigns.
 - (e) Subject of section 2, the soil and freehold in those portions of the stopped-up and closed road allowance known as the East/West Alley designated as Part 8 and 9 on Plan 62R-10227 for sale to the owner of the land abutting to the north being 482115 Ontario Limited or his successors or assigns.
- 2. If the above-mentioned owners of the abutting lands or their successors or assigns do not purchase the said portions of Alley within 30 days of the date of passing of this by-law, the sale of the said property may be authorized to any other person as may be approved by a subsequent by-law.
 - 3. This by-law comes into force and effect on the date of its enactment.

PASSED this day of A.D. 1991.

City Clerk

Mayor

"Schedule A"

Parts of the East/West Alley south of Main Street between Balmoral Avenue and Grosvenor Avenue, Registered Plan No. 586 designated as Parts 2,3,5,6,8 and 9, Plan 62R-10227 in the City of Hamilton in the Regional Municipality of Hamilton-Wentworth.

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 91-

**TO AUTHORIZE THE SALE OF THE CLOSED PORTIONS OF THE FIRST
EAST/WEST ALLEYWAY SOUTH OF CONCESSION STREET BETWEEN
EAST 39TH AND EAST 38TH STREET, REGISTERED PLAN 444
DESIGNATED AS PARTS 1,2,3, AND 4 ON PLAN 62R-11097**

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 301 of The Municipal Act, Revised Statutes of Ontario, 1980, Chapter 302, to stop-up, and sell any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 36 of the 20th Report of the Transport and Environment Committee on December 4, 1989 authorized the City to stop-up, and close the highway and offer to sell the soil and freehold therein as hereinafter described, the extent and boundaries of which are more particularly described in Schedule "A" attached hereto;

AND WHEREAS the unopened road allowance known as the East/West Alley, the extent and boundaries of which are more particularly described in Schedule "A" annexed hereto, was stopped-up and closed by Judge's Order registered on 7, January, 1991 as Instrument No. 072227.

AND WHEREAS the Peter Emery, Donald Wilds and Donald Wilds Jr., Milorad and Dosica Kobilski are the abutting owners to the north of East/West Alley.

AND WHEREAS Marc and Carol Corrin are the abutting owners of the lands to the south of the East/West Alley.

AND WHEREAS Notice of the said by-law has been published as required by Section 301 of the said Municipal Act.

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, no matter whether in objection to or in support of this by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. (a) Subject of section 2, the soil and freehold in those portions of the stopped-up and closed road allowance known as the East/West Alley designated as Part 2 on Plan 62R-11097 may be offered for sale to the owner of the land abutting to the north, being Peter Emery or his successor or assigns.
- (b) Subject of section 2, the soil and freehold in those portions of the stopped-up and closed road allowance known as the East/West Alley designated as Part 3 on Plan 62R-11097 for sale to the owner of the land abutting to the north, being Donald Wilds and Donald Wilds Jr., or their successor or assigns.
- (c) Subject of section 2, the soil and freehold in those portions of the stopped-up and closed road allowance known as the East/West Alley designated as Part 4 on Plan 62R-11097 for sale to the owners of the land abutting to the north, being Milorad and Dusica Kobilski, or their successors or assigns.

(d) Subject of section 2, the soil and freehold in those portions of the stopped-up and closed road allowance known as the East/West Alley designated as Part 1 on Plan 62R-11097 for sale to the owner of the land abutting to the south being Marc and Carol Corrin or their successors or assigns.

2. If the above-mentioned owners of the abutting lands or their successors or assigns do not purchase the said portions of Alley within 30 days of the date of passing of this by-law, the sale of the said property may be authorized to any other person as may be approved by a subsequent by-law.
3. This by-law comes into force and effect on the date of its enactment.

PASSED this day of A.D. 1991.

City Clerk

Mayor

"Schedule A"

Parts of the East/West Alley south of Concession Street, Registered Plan No. 444 designated as Parts 1,2,3 and 4, Plan 62R-11097 in the City of Hamilton in the Regional Municipality of Hamilton-Wentworth.

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 91-

**TO INCORPORATE PARTS 1,2,3,4,5 and 12, PLAN 62R-11790
INTO DICENZO DRIVE**

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as DiCenzo Drive by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of DiCenzo Drive.

Parts of Lot 14, Concession 8, in the former geographic Township of Barton, designated as Parts 1,2,3,4,5 and 12 on Plan 62R-11790.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this day of A.D. 1991.

City Clerk

Mayor

BY-LAW NO. 91 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. Schedule 10 (Stops at Intersections) of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Sanatorium	Eastbound and Westbound	West 22nd
Sanatorium	Eastbound and Westbound	West 24th
Sanatorium	Eastbound and Westbound	West 26th
Sanatorium	Eastbound and Westbound	West 32nd
Oak	Northbound	Birge
Northgate	Eastbound	Moxley
Erindale	Northbound and Southbound	Dundonald
Aberfoyle	Northbound	Montrose
Nugent	Northbound and Southbound	Kentley".

2. Schedule 11 (Yield Right-of-Way Signs) is hereby amended by deleting therefrom the following item, namely:-

"Oak	Northbound	Birge".
------	------------	---------

3. Schedule 29 (No Stopping Areas) is hereby amended by adding thereto the following items, namely:-

"Dunn	West	Brampton to 75 feet north	Anytime
Main	North	Delena to 111 feet west	Anytime
Dallas	North	East 36th to 49 feet east	Anytime
Templemead	East	Everest to 82 feet north	Anytime
Templemead	East	Everest to 64 feet south	Anytime
East 25th	East	Franklin to 90 feet south	8:00 a.m. to 4:00 p.m. Monday to Friday
Glencarry	East	King to 114 feet north	Anytime
Glencarry	West	King to 124 feet north	Anytime".

4. Schedule 12 (One-Way Streets) is hereby amended by adding thereto the following item, namely:-

"Glencarry	Southerly	King	94 feet north of King".
------------	-----------	------	-------------------------

5. Schedule 35 (Wheelchair Loading Zones) is hereby amended by deleting therefrom the following item, namely:-

"East 22nd	East	25 feet	321 feet north of Fennell	10:00 a.m. - 6:30 p.m.". .
------------	------	---------	---------------------------	----------------------------

and by adding thereto the following item, namely:-

"East 22nd	East	25 feet	321 feet north of Fennell	10:00 a.m. - 8:00 p.m.". .
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PASSED THIS DAY OF , A.D. 19 .

CITY CLERK

MAYOR

BY-LAW NO. 91 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 24 (Parking Meter Locations)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding to **Section 2 (b) (Two Hour Limit)** the following item, namely:-

"Jackson	North	Catharine to Walnut"
----------	-------	----------------------

and by deleting from **Section 3(b) (One Hour Limit)** the following item, namely:-

"Jackson	North	Catharine to Walnut".
----------	-------	-----------------------

2. **Schedule 25 (Parking Time Limits)** is hereby amended by adding to **Section 5 (One Hour Limit)** the following item, namely:-

"Colbourne	South	MacNab to 94 feet east".
------------	-------	--------------------------

3. **Schedule 25A (Parking Time Limits)** is hereby amended:

a) by deleting from **Section 20 (Two Hour Limit)** the following items, namely:-

"West 34th	West	Bendamere to 332 feet north
West 34th	East	Bendamere to 331 feet north".

and by adding thereto the following items, namely:-

"West 34th	West	Bendamere to 456 feet north
West 34th	East	Bendamere to 463 feet north".

b) by deleting from **Section 14 (One Hour Limit)** the following item, namely:-

"West 35th	Both	Bendamere to southerly end".
------------	------	------------------------------

4. **Schedule 25B (Parking Time Limits)** is hereby amended by adding thereto the following sub-section, namely:-

"9. Two Hour Limit, between the hours of 7 o'clock in the forenoon and 9 o'clock in the afternoon on the following streets or parts of streets, excepting such parts of same where parking or stopping is prohibited.

<u>STREET</u>	<u>SIDE</u>	<u>LOCATION</u>
Maplewood	South	Lorne to Norway".

5. **Schedule 26 (No Parking Areas)** is hereby amended by deleting from **Section J (No Parking 7:00 a.m. to 6:00 p.m., Monday to Sunday)** the following item, namely:-

"Mount Albion	West	Kingswood to 165 feet south of Glencastle".
---------------	------	---

6. **Schedule 26A (No Parking Areas)** is hereby amended by adding to **Section A (No Parking 7:00 a.m. - 6:00 p.m., Monday to Friday)** the following item, namely:-

"Mount Albion	West	Kingswood to 165 feet south of Glencastle".
---------------	------	---

"West 35th Both Bendamere to south end".

7. **Schedule 27 (Alternate Side Parking)** is hereby amended by deleting therefrom the following item, namely:-

West 35th	East	West
Bendamere to southerly end		

8. **Schedule 34 (Sticker Permit Parking)** is hereby amended by deleting therefrom the following item, namely:-

"Colbourne South Severn to MacNab Anytime".

and by adding thereto the following item, namely:-

"Colbourne	South	Severn to a point 94 feet east of MacNab	Anytime".
------------	-------	---	-----------

PASSED THIS DAY OF , A.D. 19 .

CITY CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 91-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 1215 STONE CHURCH ROAD EAST

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

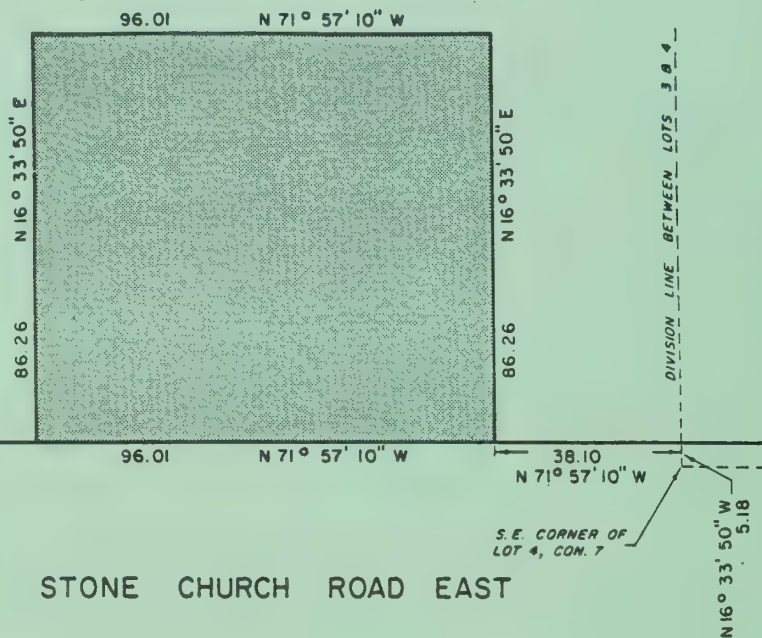
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "M-13" (Prestige Industrial) District provisions, as contained in Section 17E of Zoning By-law No. 6593, applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirement that,
 - (a) notwithstanding Section 17E(1)(c) of By-law No. 6593, the following accessory commercial use shall be permitted only within the existing building:
 1. a penny arcade having a maximum of 14 machines.
2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "M-13" District provisions, subject to the special requirement referred to in section 1.
3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1231.
4. Sheet No. E-59C of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1231.
5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this day of A.D. 1991.

City Clerk

Mayor



STONE CHURCH ROAD EAST

NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 91-.....
 Passed the day of , 1991.

.....
 Clerk

.....
 Mayor

City of Hamilton

Schedule A


Map Forming Part of
 By-Law No. 91-.....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
 Planning and Development Department

Legend

 Lands to be regulated by
 By-Law No. 91-.....

North 	Scale NOT TO SCALE	Reference File No. ZA 91-10
	Date JUNE, 1991	Drawn By L.B.

The Corporation of the City of Hamilton

BY-LAW NO. 91-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 298 GRAYS ROAD

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982;

AND WHEREAS the special condition relating to this rezoning, referred to in Section 7(b) of the 4th Report of the Planning and Development Committee adopted by City Council on the 12th day of March 1991, has been satisfied.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "HH" (Restricted Community Shopping and Commercial) District provisions, as contained in Section 14A of Zoning By-law No. 6593, applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the following special requirements that,

- (a) notwithstanding Section 14A(1) of By-law No. 6593, a multiple dwelling having not more than 9 dwelling units shall be permitted solely within the existing building provided same is attached to any commercial use(s) permitted under Section 15B(3)(b) of By-law No. 6593;
- (b) notwithstanding Section 15B(3)(b) of By-law No. 6593, a bait and tackle shop shall be permitted;
- (c) notwithstanding Section 14A of By-law No. 6593, any of the permitted commercial uses shall be located within the first storey only;
- (d) notwithstanding Section 14A of By-law No. 6593, a landscaped area of not less than 6.0 m in width and a visual barrier of not less than 1.2 m in height and not more than 2.0 m in height shall be provided and maintained along the entire rear lot line;
- (e) notwithstanding Section 18A(20)(b) of By-law No. 6593, one loading space not less than 3.7 m x 18.0 m shall be provided and maintained;

- (f) all residential uses shall be located completely and functionally separate from any commercial use and pedestrian access to the residential units shall be completely separate from pedestrian access to the commercial uses.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "HH" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1220.

4. Sheet No. E-123 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1220.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this

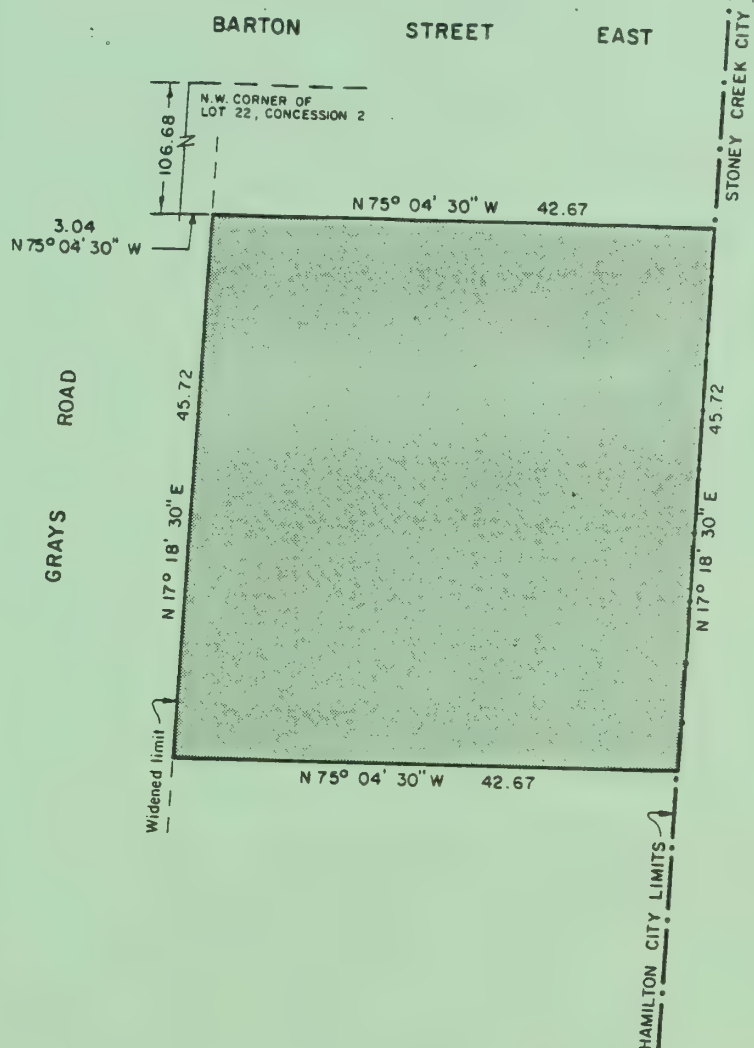
day of

A.D. 1991.

City Clerk

Mayor

(1991) 4 R.P.D.C. 7(a), March 12
Ivan Zupancic, Owner
ZA-90-90



NOTE: ALL DIMENSIONS
ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO. 91-
PASSED THE _____ DAY OF _____ 1991

Clerk

Mayor

CITY OF HAMILTON

SCHEDULE "A"

MAP FORMING PART OF

BY-LAW NO. 91-

TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

LEGEND



Lands to be regulated by
By-Law No. 91-.....

North 	Scale NOT TO SCALE	Reference File No. ZA 90-90
	Date MARCH 13, 1991	Drawn By E. C.

The Corporation of the City of Hamilton

BY-LAW NO. 91-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED AT MUNICIPAL NOS. 610 AND 612 KING STREET EAST

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982;

AND WHEREAS the special condition relating to this rezoning, referred to in Section 7 of the 17th Report of the Planning and Development Committee adopted by City Council on the 9th day of October 1990, has been satisfied.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "H" (Community Shopping and Commercial, etc.) District provisions, as contained in Section 14 of Zoning By-law No. 6593, applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the following special requirements that,
 - (a) notwithstanding Section 14 of By-law No. 6593, a multiple dwelling containing not more than 12 dwelling units, shall be permitted within the existing building;
 - (b) the 2 dwelling units located within the basement of the existing building shall have a floor area of not less than 65 m²;
 - (c) notwithstanding TABLE 1(g) of Section 18A of By-law No. 6593, not less than 12 parking spaces shall be provided and maintained on the lot;
 - (d) Sections 18A(1)(c) and (24)(b)(i) of By-law No. 6593 shall not apply to the multiple dwelling existing at the date of the passing of this by-law.
2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "H" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1194.

4. Sheet No. E-13 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1194.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this

day of

A.D. 1991.

City Clerk

Mayor

(1990) 17 R.P.D.C. 7(B), October 9
Greg McMillan and Bob Frame, Owners
Amended ZA-90-08



NOTE: All dimensions are in metres


This is Schedule "A" to By-Law No. 9 -
 Passed the day of , 199 .


.....
 Clerk

.....
 Mayor

City of Hamilton
Schedule A
 Map Forming Part of
 By-Law No. 9 -
 to Amend By-Law No. 6593
 Regional Municipality of Hamilton-Wentworth
 Planning and Development Department

Legend

 Lands to be regulated by
 By-Law No. 9 -

North 	Scale NOT TO SCALE	Reference File No. ZA 90-08
20	Date October, 1990	Drawn By L.B.

The Corporation of the City of Hamilton

BY-LAW NO. 91-

To Establish:

Site Plan Control

Respecting:

LANDS LOCATED AT MUNICIPAL NOS. 610 AND 612 KING STREET EAST

WHEREAS By-law No. 79-275, passed on the 25th day of September 1979, under Section 35a of the Planning Act, as re-enacted by the Planning Amendment Act, 1979, S.O. 1979, Chapter 59, Section 1, [now Section 40 of the Planning Act, 1983], as amended by By-law No. 87-223, passed on the 28th day of July 1987, established site plan control in various parts of the City of Hamilton as of November 1, 1979;

AND WHEREAS it is desirable to amend By-law No. 79-275 to establish site plan control on the land hereinafter referred to.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:

133. Lands located at Municipal Nos. 610 and 612 King Street East, shown on Appendix 133 hereto annexed and forming part of this by-law.

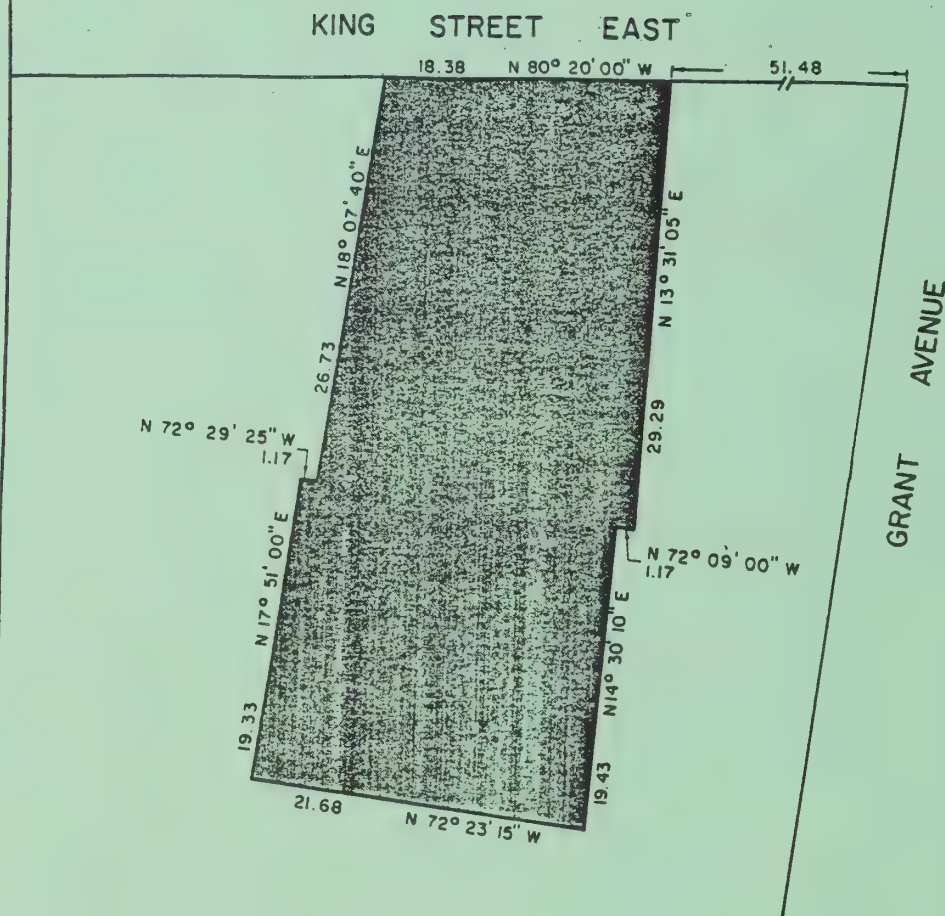
2. Appendix 133 to By-law No. 79-275 is hereto annexed as Schedule "A", and forms part of this by-law, and By-law No. 79-275, as amended.

PASSED this day of

A.D. 1991.

City Clerk

Mayor



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 9 -
 Passed the day of, 199 .

.....
 Clerk

.....
 Mayor

City of Hamilton
Appendix 133
 to By-Law No.79-275

as Amended by
 By-Law No.87-223

Regional Municipality of Hamilton-Wentworth
 Planning and Development Department

Legend



Lands Designated Under this By-Law
 as an area of Site Plan Control pursuant
 to Section 40 of the Planning Act.

North



Scale
 NOT TO SCALE

Date
 October, 1990

Reference File No.
 ZA 90-08

Drawn By
 L.B.

The Corporation of the City of Hamilton

BY-LAW NO. 91-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED ON THE EAST AND WEST SIDES OF FAIRINGTON CRESCENT
AND SOUTH OF EASTGATE COURT

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-104 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing from "L-r" (Planned Development - Low Density Residential) District to "C" (Urban Protected Residential, etc.) District, the land comprised in Block 1; and

(b) by changing from "L-MR-1" (Planned Development - Multiple Residential) District to "L-r" (Planned Development - Low Density Residential) District to "C" (Urban Protected Residential, etc.) District, the lands comprised in Blocks 2 and 3,

the extent and boundaries of each of which Blocks 1, 2 and 3 are shown on a plan hereto annexed as Schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

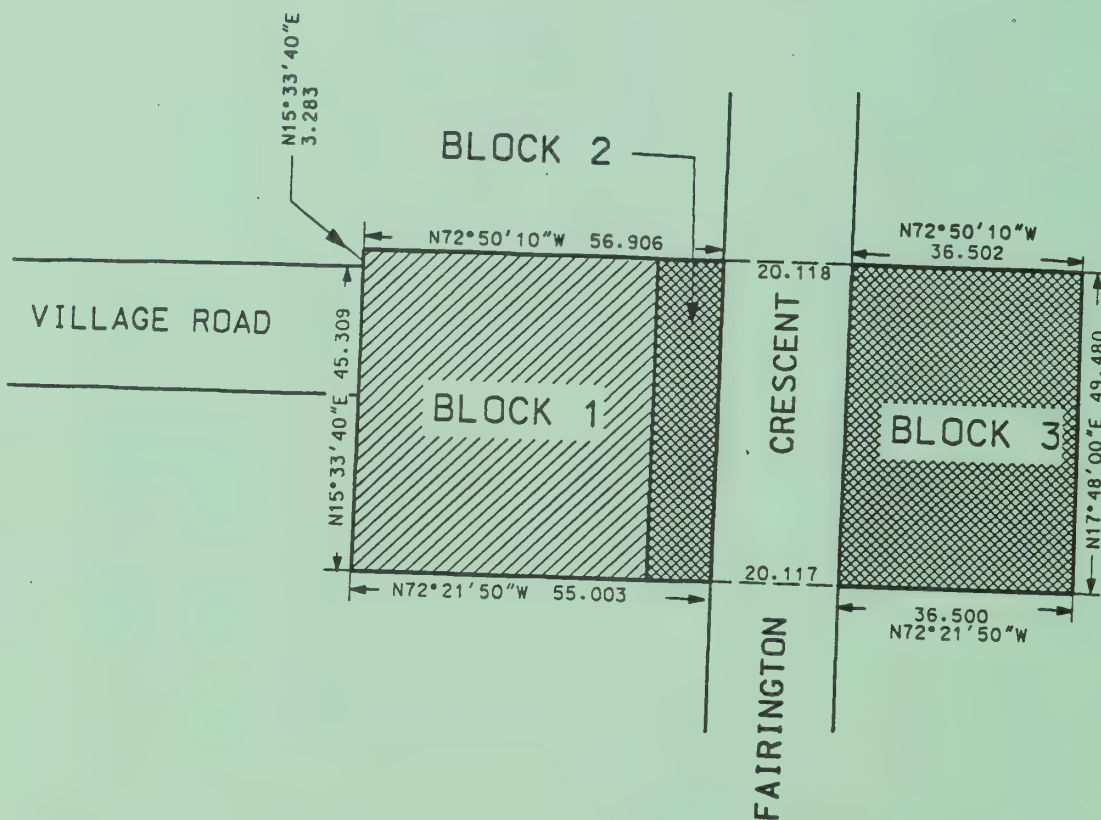
PASSED this

day of

A.D. 1991.

City Clerk

Mayor



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 91-____
Passed the _____ day of _____, 1991.

Clerk

Mayor

City of Hamilton
Schedule A
Map Forming Part of
By-Law No. 91-_____
to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Changes in zoning from:



BLOCK 1

"L-1" (Planned Development-Low Density Residential) District to "C" (Urban Protected Residential, etc.) District.



BLOCK 2
BLOCK 3

"L-m-1" (Planned Development-Multiple Residential) District to "C" (Urban Protected Residential, etc.) District.

North

Scale
NOT TO SCALE

Reference File No.
ZA91-30

Date
JULY, 1991

Drawn By
T.A.

The Corporation of the City of Hamilton

BY-LAW NO. 91-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 64 EWEN ROAD

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-46 of the District Maps, appended to and forming part of By-law No. 6593, is amended,
 - (a) by changing from "M-14" (Prestige Industrial) District modified, to "C" (Urban Protected Residential, etc.) District,the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".
2. The "C" (Urban Protected Residential, etc.) District provisions, as contained in Section 9 of Zoning By-law No. 6593, applicable to the land referred to in section 1 are amended to the extent only of the special requirement that,
 - (a) notwithstanding Section 9(4) of By-law No. 6593, a lot width of not less than 10.0 metres shall be permitted.
3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District provisions, subject to the special requirement referred to in section 2.
4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1232.
5. Sheet No. W-46 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1232.
6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this

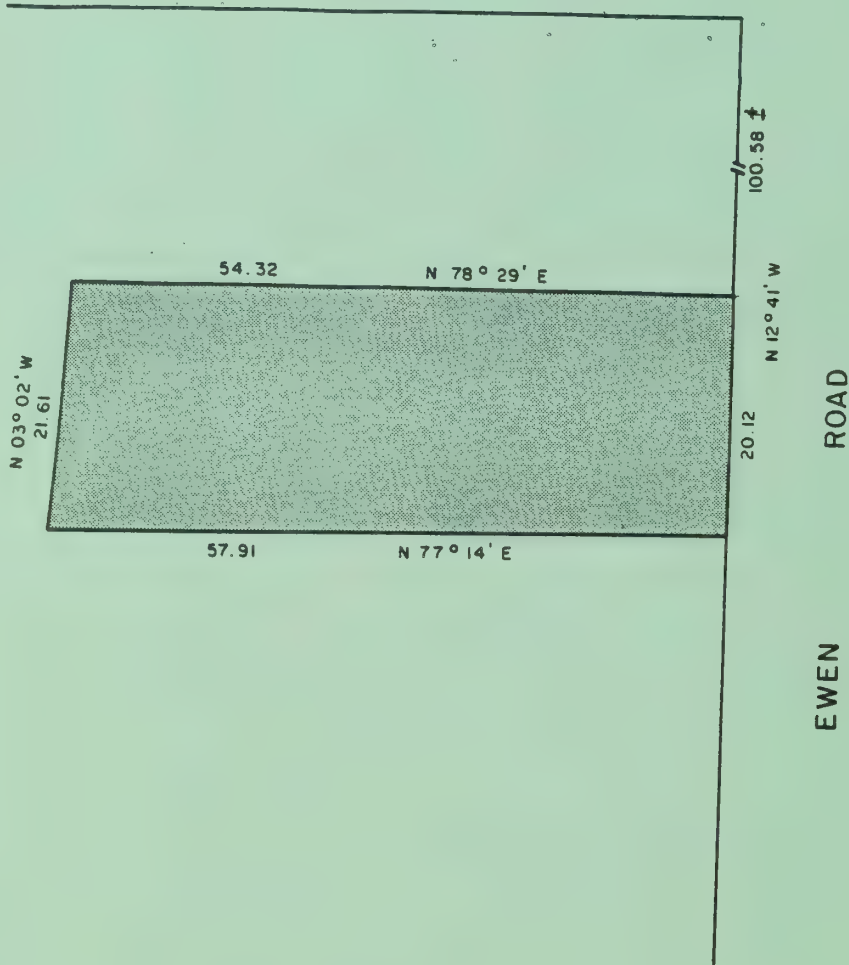
day of

A.D. 1991.

City Clerk

Mayor

OFIELD ROAD



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 91-.....
Passed the day of, 1991.

.....
Clerk

.....
Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 91-.....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Change in zoning from:



"M-14" (Prestige Industrial) District, Modified
to "C" (Urban Protected Residential, etc.)
District, Modified.

North

26

Scale
NOT TO SCALE

Date
JUNE, 1991

Reference File No.
ZA 91-22

Drawn By
L.B.

The Corporation of the City of Hamilton

BY-LAW NO. 91-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED AT MUNICIPAL NOS. 1508, 1514 and 1530 UPPER JAMES STREET

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-9D of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "AA" (Agricultural) District to "RT-20" (Townhouse - Maisonette) District, the land comprised in Block 1, and
- (b) by changing from "AA" (Agricultural) District to "G-1" - 'H' (Designed Shopping Centre - Holding) District, the land comprised in Block 2, and
- (c) by changing from "C" (Urban Protected Residential, etc.) District to "G-1" - 'H' (Designed Shopping Centre - Holding) District, the lands comprised in Blocks 3 and 4, and
- (d) by changing from "AA" (Agricultural) District to "G-1" - 'H' (Designed Shopping Centre - Holding) District, the land comprised in Block 5,

the extent and boundaries of each of which Blocks 1, 2, 3, 4 and 5 are shown on a plan hereto annexed as Schedule "A".

2. The "G-1" (Designed Shopping Centre) District referred to in section 1.(b), (c) and (d) shall be subject to the special requirements that,

- (a) upon the approval of a site plan for a comprehensive development of Blocks 2, 3, 4 and 5, and
- (b) upon the site plan being registered on title of the lands,

the 'H' symbol shall be removed by amendment to this by-law, and the development of the lands referred to in section 1. (b), (c) and (d) may proceed in accordance with the "G-1" District provisions.

3. The "G-1" (Designed Shopping Centre) District and the "RT-20" (Townhouse - Maisonette) District provisions, as contained in Sections 13A and 10E of Zoning By-law No. 6953, applicable to the lands referred to in section 1. (a), (b), (c) and (d) are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 13A(4) of By-law No. 6593, a front yard of not less than 6.0 m shall be provided and maintained for the property at 1508 Upper James Street (Building Area "A" - Schedule "A");
- (b) notwithstanding Section 13A(4) of By-law No. 6593, a front yard having a depth of not less than 24 m shall be provided and maintained for property located at 1514 to 1530 Upper James Street (Building Area "B" - Schedule "A");
- (c) notwithstanding Section 13A(4) of By-law No. 6593, a northerly side yard of not less than 3.0 m shall be provided and maintained for property located at 1508 Upper James Street (Building Area "A" - Schedule "A");
- (d) notwithstanding Section 13A(4), a southerly side yard of not less than 7.62 m shall be provided and maintained for property located at 1514 and 1530 Upper James Street (Building Area "B" - Schedule "A");
- (e) a landscaped area not less than 3.0 m in width, excluding areas required for driveway accesses, shall be provided and maintained adjacent to the Upper James Street road allowance for Blocks 2, 3 and 4;
- (f) a landscaped strip not less than 6.0 m in width and a visual barrier not less than 1.2 m and not more than 2.0 m in height shall be provided and maintained along the entire westerly rear lot line of Block 5, and along that portion of the northerly side lot line of Block 5, which is distant 45.0 m from the north-westerly corner of Block 5;
- (g) a landscaped strip not less than 4.5 m in width shall be provided and maintained along that portion of the southerly side property line of Block 1 which abuts the service driveway of adjoining land to the south within the "G-1" (Designed Shopping Centre) District;
- (h) a visual barrier not less than 1.2 m and not more than 2.0 m in height shall be provided and maintained along the entire southerly and northerly side lot lines of Block 1.

4. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "G-1" District and "RT-20" District provisions, subject to the special requirements referred to in section 3.

5. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1230.

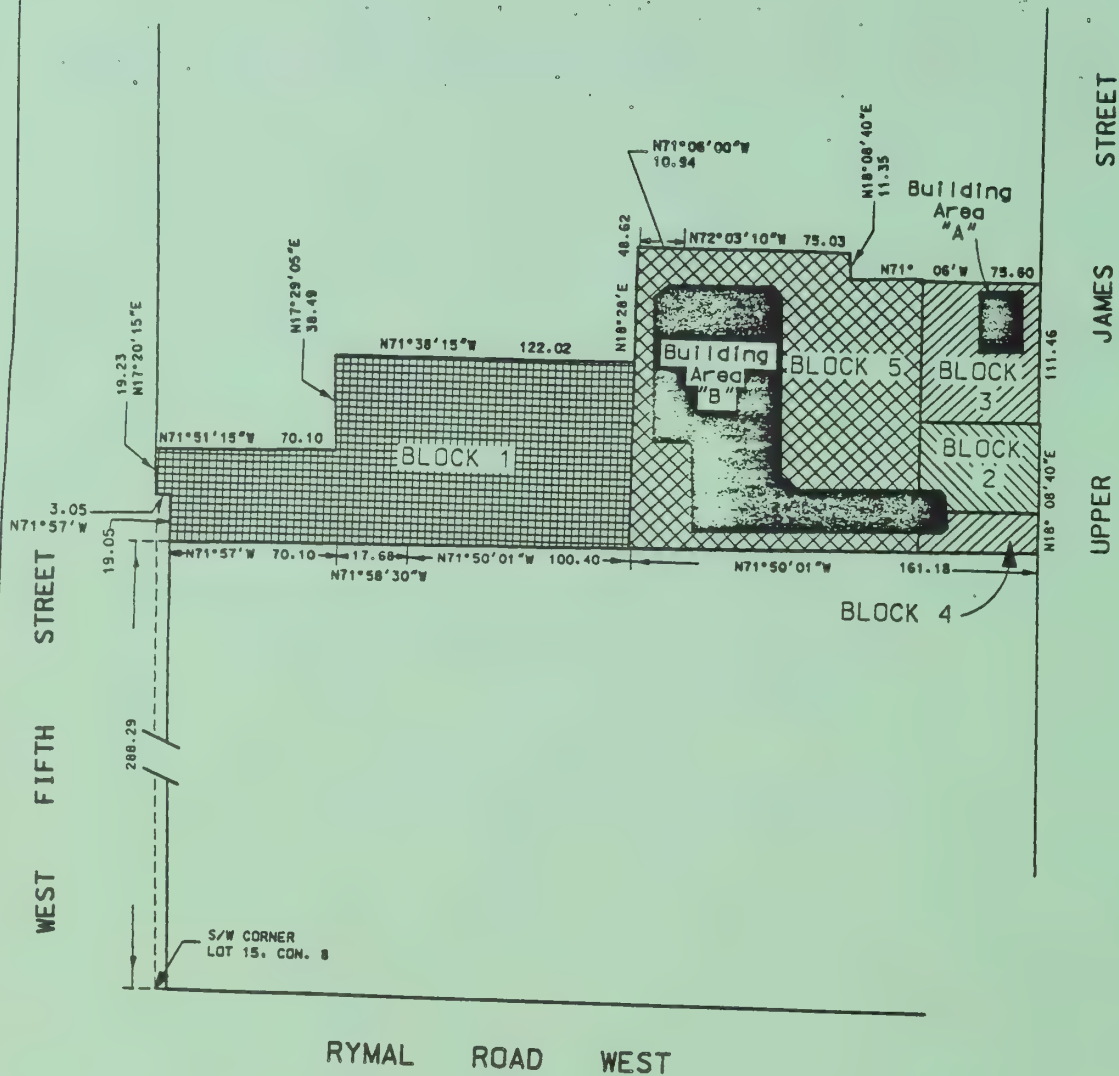
6. Sheet No. W-9D of the District Maps is amended by marking the lands referred to in section 1. (a), (b), (c) and (d) of this by-law, S-1230.

7. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this day of A.D. 1991.

City Clerk Mayor

(1991) 9 R.P.D.C. 15, May 28
G. Fortino, U. Spagnuolo, S. Filice,
M. and O. Presta, F. Carobelli,
A. and L. Scornaienchi and
G. Fortino, In Trust, Owners
Amended ZA-89-22 and ZA-89-23



This is Schedule "A" to By-Law No. 91-____
Passed the _____ day of _____, 1991.

Clerk

Mayor

NOTE: All dimensions are in metres

City of Hamilton
Schedule A
Map Forming Part of
By-Law No. 91-_____
to Amend By-Law No. 6593
Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend		
Changes in zoning from:		
	"AA" (Agricultural) District to "RT-20" (Townhouse-Maisonette) District, modified.	
	"AA" (Agricultural) District, modified to "G-1"-H" (Designed Shopping Centre-Holding) District, modified.	
	"C" (Urban Protected Residential, etc.) District to "G-1"-H" (Designed Shopping Centre-Holding) District, modified.	
	"AA" (Agricultural) District to "G-1"-H" (Designed Shopping Centre-Holding) District, modified.	
North	Scale	Reference File No.
	NOT TO SCALE	ZA89-22
	Date	ZA89-23
	JUNE 1991	Drawn By
		T.A.

The Corporation of the City of Hamilton

BY-LAW NO. 91--

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 402 UPPER WENTWORTH STREET
(FORMERLY INVERNESS PUBLIC SCHOOL)

WHEREAS it is intended to change the zoning of the land hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-15 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single-Family Detached) District, the land comprised in Block 1; and

(b) by changing from "D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District to "R-4" (Small Lot Single-Family Detached) District, the land comprised in Block 2,

the extent and boundaries of each of which Blocks 1 and 2 are shown on a plan hereto annexed as Schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

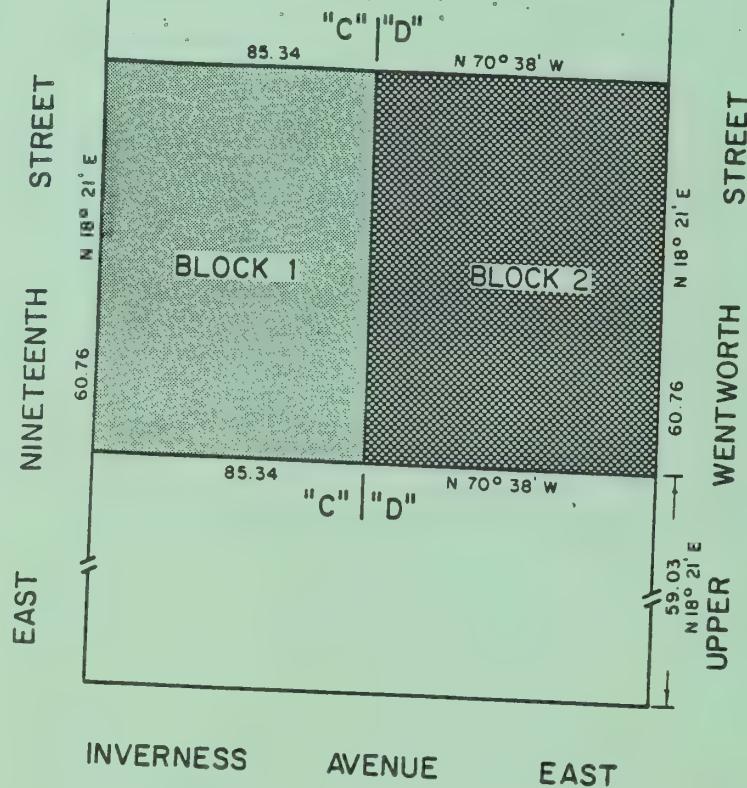
PASSED this

day of

A.D. 1991.

City Clerk

Mayor



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 91-.....
Passed the day of , 1991.

Clerk

Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 91-.....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Changes in zoning from:

BLOCK 1

"C" (Urban Protected Residential, etc.) District to
"R-4" (Small Lot Single-Family Detached) District.

BLOCK 2

"D" (Urban Protected Residential-One and Two
Family Dwellings, Townhouses, etc.) District to
"R-4" (Small Lot Single-Family Detached) District.

North



Scale
NOT TO SCALE

Reference File No.
CI 91-C

Date
JUNE, 1991

Drawn By
L.B.

The Corporation of the City of Hamilton

BY-LAW NO. 91-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED IN THE AREA EAST OF LAKE AVENUE NORTH,
BETWEEN BARTON STREET EAST AND THE QUEEN ELIZABETH WAY

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets No. E-113, E-122 and E-123 of the District Maps, appended to and forming part of By-law No. 6593, are amended,

(a) by changing from "JJ" (Restricted Light Industrial) District to "A" (Conservation, Open Space, Park and Recreation) District, the lands comprised in Blocks 1 and 2; and

(b) by changing from "KK" (Restricted Heavy Industrial) District to "A" (Conservation, Open Space, Park and Recreation) District, the lands comprised in Blocks 3, 4 and 5,

the extent and boundaries of each of which Blocks 1, 2, 3, 4 and 5 are shown on plans hereto annexed as Schedules "A" and "A-1".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

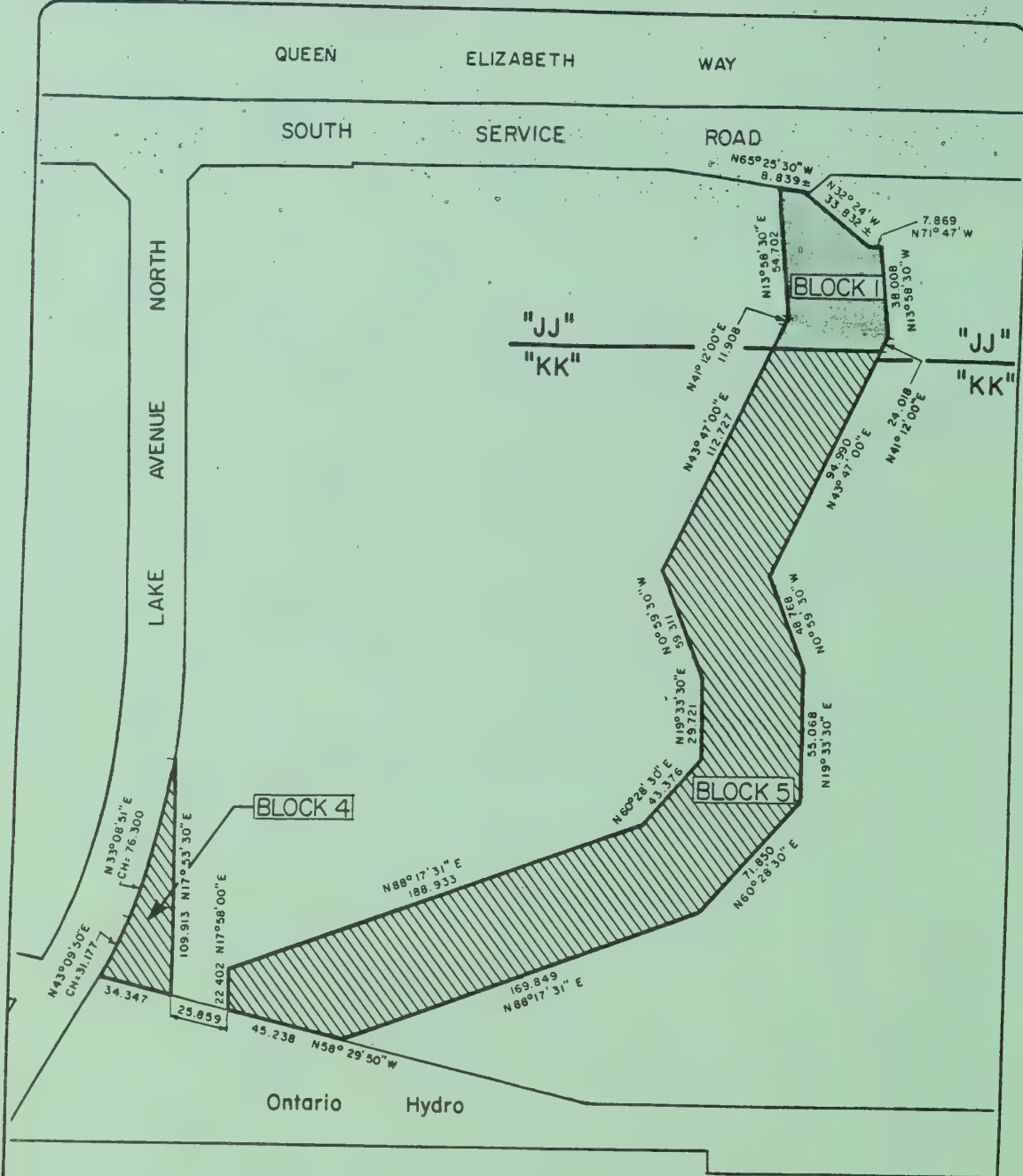
PASSED this

day of

A.D. 1991.

City Clerk

Mayor



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 91-.....
Passed the day of, 1991.

.....
Clerk

.....
Mayor

City of Hamilton

Schedule A Map Forming Part of By-Law No. 91-.....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Changes in zoning from:



"JJ" (Restricted Light Industrial) District to "A"
(Conservation, Open Space, Park and Recreation) District.



"KK" (Restricted Heavy Industrial) District to "A"
(Conservation, Open Space, Park and Recreation) District.

North



Scale
NOT TO SCALE

Date
JULY, 1991

Reference File No.
C1 89-G

Drawn By
E.C.

The Corporation of the City of Hamilton

BY-LAW NO. 91-

To Authorize:

MAJOR MAINTENANCE TO CIVIC BUILDINGS

WHEREAS the Ontario Municipal Board by Order dated the 21st day of June 1991, (File No. E 910563), approved,

- (a) an expenditure of \$750,000.00 for the major maintenance to civic buildings and the borrowing of money by way of temporary advances not exceeding in the aggregate such sum pending the sale of debentures, and
- (b) the issuance of the necessary debentures to a maximum of \$750,000.00 for a term not to exceed twenty years by The Regional Municipality of Hamilton-Wentworth chargeable to the applicant corporation;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The undertaking described as the major maintenance to civic buildings may now be proceeded with in accordance with the Ontario Municipal Board Order dated the 21st day of June 1991.

2. The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all such things necessary to give effect to the said Order of the Ontario Municipal Board.

PASSED this day of A.D. 1991.

City Clerk

Mayor

The Corporation of the City of Hamilton.

BY-LAW NO. 91-

To Authorize:

THE HYDRO STREET LIGHTING CONVERSION TO HIGH PRESSURE SODIUM

WHEREAS the Ontario Municipal Board by Order dated the 21st day of June 1991, (File No. E 910564), approved,

- (a) the hydro street lighting conversion to high pressure sodium at an estimated cost of \$1,102,000.00, and the borrowing of money by way of temporary advances not exceeding in the aggregate such estimated cost pending the sale of debentures, and
- (b) the issuance of the necessary debentures to a maximum of \$700,000.00 for a term not to exceed twenty years by The Regional Municipality of Hamilton-Wentworth chargeable to the applicant corporation;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The undertaking described as the hydro street lighting conversion to high pressure sodium may now be proceeded with in accordance with the Ontario Municipal Board Order dated the 21st day of June 1991.

2. The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all such things necessary to give effect to the said Order of the Ontario Municipal Board.

PASSED this

day of

A.D. 1991.

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 91-

To Replace Schedule 19, To Licensing By-law 79-323

Respecting :

BILL POSTERS AND BILL DISTRIBUTORS, ETC.

WHEREAS Paragraph 8 of Section 230(1) of the Municipal Act, R.S.O., 1980, Chapter 302, provides that by-laws may be passed to license, regulate and govern bill distributors, advertising sign painters, bulletin board painters, and sign posters;

AND WHEREAS Paragraph 76 of Section 210 of the said Municipal Act, provides that by-laws may be passed to prohibit the throwing, placing or depositing of debris or refuse on private property or on the property of the municipality or local board thereof, without the authority of the owner or occupant;

AND WHEREAS Paragraph 5 of Section 315 of the said Municipal Act, provides that by-laws may be passed to prohibit the throwing, placing or depositing of dirt, filth, glass, handbills, paper or other rubbish or refuse on any highway or bridge;

AND WHEREAS Section 160 of the Regional Municipality of Hamilton-Wentworth Act, R.S.O. 1980, Chapter 437, provides that the council of the City of Hamilton may pass any by-law that a board of commissioners of police is authorized to pass under the Municipal Act;

AND WHEREAS it is considered desirable and expedient to amend Schedule 19 to City of Hamilton By-law 79-323, to further regulate bill distributors to prevent and reduce nuisance and litter;

AND WHEREAS the Council of the Corporation of the City of Hamilton, in adopting Item of the Report of the Finance and Administration Committee at its meeting held on the day of February 1991, directed that Schedule 19 to By-law 79-323 be repealed and replaced as hereinafter provided.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. Schedule 19 to By-law 79-323 of The Corporation of the City of Hamilton, enacted on the 27th day of November, 1979, and amended by By-law No. 84-244, By-law No. 88-271, By-law No. 89-347, and By-law No. 90-338 is hereby repealed in its entirety, and the following substituted therefor;

SCHEDULE 19

To City of Hamilton By-law No. 79-323 respecting:

BILL POSTERS AND BILL DISTRIBUTORS, ETC.

PART 1 : Definitions

1.(1) For the purposes of this Schedule, "bill" shall include a written or printed handbill, notice or advertisement, and any envelope, covering, wrapper, or container in which a bill is enclosed.

(2) In this Schedule "newspaper" shall include a printed publication in sheet or magazine form, intended for general circulation and published regularly, consisting in great part of current news of events of general interest, taking into account the date of publication and the date of distribution of the publication in respect of whether or not the news is current.

(3) In subsection 2(2) the "sale of the goods or services of the publisher" shall not include the sale of subscriptions to the publisher's newspaper.

PART 2 : Requirement for License

2.(1) No person shall carry on or engage in any of the following businesses or trades :

- (a) bill poster;
- (b) advertising sign painter;
- (c) bulletin board painter;
- (d) sign poster; or
- (e) bill distributor,

without first obtaining a licence under this Schedule entitling them to do so.

(2) A license is not required under paragraph 2(1)(e), by a person engaged in the trade or business of distributing bills, if the bills are being distributed or delivered:

(a) by mail,

(b) according to, or within materials delivered by a subscription or contract with the owner or occupier of the premises at which the bills are delivered,

(c) in newspapers delivered free of charge to the owner or occupier of the premises at which delivery is made, where the main purpose for distribution of the paper is not to advertise the sale of the goods or services of the publisher,

(d) by or for community, political or religious groups who are soliciting membership or participation in such groups, or attendance at meetings dealing with community, political or religious issues, or

(e) by an owner or employee of a business distributing the business's own bills,

and except for section 3, this Schedule does not apply to such distributions and deliveries.

(3) An employee of a person licensed under paragraphs 2(1)(a) through (e) is not required to be licensed under this Schedule for the purposes of such employment.

(4) A license for the distribution of bills issued under this Schedule is not authority to enter upon or commit a trespass against any property without the consent of the owner or occupier thereof.

PART 3 : Miscellaneous Prohibitions

3. No person shall post, distribute, or cause or permit the posting or distribution of any poster, picture or handbill that is indecent or that tends to corrupt morals.

4. No person, required under the provisions of this Schedule to be licensed, shall distribute, or cause or permit to be distributed, any poster, picture, bill, printed matter or other paper whether printed or not, by having the same:

- (1) handed to any person in any highway or other public place;
- (2) deposited in or on any motor vehicle;
- (3) deposited on any lawn, driveway, lane, walkway, or other such place; or
- (4) deposited on any highway, bridge, alley, park or other public place;

and every such person shall be responsible for any such non-compliance by any of their employees, servants or agents in the course of such employment or agency.

PART 4 : Regulation of Bill Distribution

5. No person, required under the provisions of this Schedule to be licensed as a bill distributor, shall distribute bills, or cause or permit the distribution of bills, contrary to the following regulations :

(1) Persons distributing bills to private property shall use only the existing driveway or walkways of the property at which the deliveries are being made;

(2) Where the delivery of bills to private property is permitted, such deliveries shall be made so that :

(a) Subject to subsection (3), the bills shall be placed inside the mail box or mail slot, where a mail box or slot exists, and the box or slot shall be closed so that the bills are not visible from outside such box or slot,

(b) Also subject to subsection (3), where no mail box or slot exists, bills must be securely affixed to the property in a place and manner near an entrance door, so as not likely to be displaced by wind, exposed to rain or snow, or to view from the highway, or other public place, or

(c) Where paragraphs (a) or (b) apply, but the provisions thereof cannot be fully complied with, then no bills shall be left at or on the property, without the consent of the owner or occupant thereof;

(3) No distribution of bills shall be made to private property without the consent of the owner thereof, where the property displays, visible from a highway, lane, driveway, walkway, verandah, porch, step or other such approach to a doorway:

(a) a **"NO HANDBILLS"** sign in Form 1, as set out in Appendix "A" hereto annexed, which appendix is included in, and forms a part of this Schedule, or

(b) any other sign indicating the owner or occupier of the property prohibits such deliveries;

(4) Subject to sub-section (5), the name and telephone number of the licensed bill distributor, shall be legible and visible from the back of persons distributing bills for the licensee, by having the same in characters at least 5 centimetres in height on a contrasting background, printed on a vest, coat, delivery bag, carrying cart, or other equivalent means of display carried on or about the person making deliveries;

(5) The requirements of sub-section (4) do not apply where the licensed bill distributor has legibly printed on the bills delivered, or the envelope, covering, wrapper, or container in which the bills are delivered, in characters at least 1.2 centimetres tall, the name of the licensed bill distributor, their telephone number and mailing address;

(6) No other sign or display shall be carried by persons distributing bills, which would tend to confuse or mislead an observer as to the identity and telephone number of the licensed bill distributor required to be displayed by subsection (4);

and every such bill distributor shall be responsible for any such non-compliance by any of their employees, servants or agents in the course of such employment or agency.

6. For the purposes of subsections 5(4) and 5(5), the name, telephone number, and mailing address of a licensed bill distributor shall be deemed to be the same as the information supplied with the application to the Corporation of the City of Hamilton for the license, unless the bill distributor delivers to the Licensing Department of the said City, at least five days prior to use of the name, address, or telephone number, a written request setting out the name, address and telephone number supplied with the application and any changes requested to such information, along with the license number of bill distributor.

PART 5 : License Fees

7. The amount of the licence fee for a licence granted under this Schedule shall be as follows :

(1) Bill distributor.....\$100.00;

(2) Bill Poster, Advertising Sign Painter, Bulletin Board Painter, Sign Poster.....\$605.00.

2. Appendix "A" hereto annexed is included in, and forms a part of Schedule 19 as enacted by this by-law.

3. This by-law comes into force and effect on the date of its passing and enactment.

PASSED this day of A.D. 1991.

City Clerk

Mayor

(1991)

APPENDIX "A"

To Schedule 19 of By-law 79-323, as amended.

FORM 1

"NO HANDBILLS" SIGN



The Corporation of the City of Hamilton

BY-LAW NO. 91-

To Authorize:

RENOVATION AND RETROFIT OF THE HUNTINGTON PARK RECREATION CENTRE

WHEREAS the Ontario Municipal Board by Order dated the 11th day of July 1991, (File No. E 910675), approved,

- (a) the renovation and retrofit of the Huntington Park Recreation Centre at an estimated cost of \$3,200,000.00, and the borrowing of money by way of temporary advances not exceeding in the aggregate such estimated cost pending the sale of debentures, and
- (b) the issuance of the necessary debentures to a maximum of \$3,200,000.00 for a term not to exceed twenty years by The Regional Municipality of Hamilton-Wentworth chargeable to the applicant corporation;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The undertaking described as the renovation and retrofit of the Huntington Park Recreation Centre may now be proceeded with in accordance with the Ontario Municipal Board Order dated the 11th day of July 1991.

2. The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all such things necessary to give effect to the said Order of the Ontario Municipal Board.

PASSED this day of A.D. 1991.

City Clerk

Mayor

(1991) 1 R.F.A.C. 41, January 29

BY-LAW NO. 91 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 30TH DAY OF JULY A.D., 1991.

WHEREAS by Section 19 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 103 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario 1980, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this

day of

A.D. 1991

CITY CLERK

MAYOR

URBAN/MUNICIPAL
CA4 ON HBL A05
A31



J.J. SCHATZ
DEPUTY CITY CLERK

THE CORPORATION OF THE CITY OF HAMILTON
OFFICE OF THE CITY CLERK

CITY HALL
HAMILTON, ONTARIO
L8N 3T4

TEL: 546-2700
FAX: 546-2095

Aug 1991

**MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON**

**Tuesday, August 27, 1991
7:30 o'clock p.m.
Council Chambers, City Hall**

AGENDA

1. Opening Prayer

Father Charles Galea
St. Luke's Roman Catholic Church

2. Presentation

To the City of Hamilton from the Canadian Association of Municipal Administrators

3. Certificates of Appreciation

- (a) Mr. Michael Temperley, General Manager, Gown & Gavel
- (b) Mr. Jim Skarratt, President, Skarratt Promotions

4. Certificates of Recognition

- (a) Mr. George Aldighieri, Owner, Union Boiler Company of Hamilton Ltd.
- (b) Mr. Osvaldo Fava

URBAN MUNIC
AUG 27 1991
GOVERNMENT DOCUMENTS

5. Proclamations

- (a) Big Brother Month, September 1991
- (b) Labatt Canada Cup Week, September 1 to September 8, 1991

6. Minutes

July 30, 1991

7. Petitions and Correspondence

8. Reports of the Standing Committees

- (a) Transport and Environment Committee
- (b) Parks and Recreation Committee
- (c) Planning and Development Committee
- (h) Finance and Administration Committee

9. Notices of Motion for Next Meeting

10. First Reading of the Bills

11. Second Reading of the Bills - Committee of the Whole

12. Third Reading of the Bills

13. Question Period

14. Adjournment

M I N U T E S

Hamilton City Council
July 30, 1991
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met.

Present: Mayor R. M. Morrow

Aldermen Kiss, Agro, McCulloch, Drury, Copps, Wilson, Lombardo,
Formosi, Jackson, Merling, Gallagher, Murray, Ross.

Absent: Alderman Cooke - Vacation
Alderman Hinkley - Regional Business
Alderman Agostino - City Business

Mayor Morrow called the meeting to order.

* * * * *

Pastor Stan Reeder, First Church of the Nazarene led the Council in prayer.

* * * * *

The following presentations were made:

A Certificate of Recognition was presented to Mr. George Evans, President of Paling Incorporated for his enthusiastic leadership and dedication in building a company known for its excellence in heavy vehicle manufacture, repair and refurbishing throughout Canada and the United States.

A Certificate of Congratulations was presented to Gwynneth Cook on receiving the Stanley J. Hussey Memorial Award from Parents Without Partners.

* * * * *

Mr. Joe Smith, President, Hamilton Gallery of Distinction issued a media release relative to the 1991 Inductees to the Gallery of Distinction and special Gala Dinner which will be held at the Hamilton Convention Centre November 6, 1991.

* * * * *

July 30, 1991

The minutes of the meeting held June 25, 1991 were taken as read and approved.

* * * * *

CORRESPONDENCE:

1. Letter dated July 17, 1991 from the Regional Municipality of Hamilton-Wentworth
Re: Placing of a question respecting Sunday Shopping on the ballot in the 1991
Municipal Election.

Alderman Jackson declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Jackson owns a store on James Street.

Alderman Ross declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Ross's wife owns a store on Ottawa Street.

Both of these business's may be affected by Sunday and Holiday Shopping store hour operation.

Council debated the recommendation of the Region following which it was moved by Alderman Gallagher and seconded by Alderman Murray

- (a) That the following question be placed on the 1991 Municipal Election Ballot:

**"Are you in favour of the Province of Ontario legalizing Sunday
and Holiday Shopping?"**

YES _____ NO _____ "

- (b) That the Province of Ontario be requested to ask all Ontario Municipalities to place a similar question on their respective ballots in 1991.

Recorded Vote.

YEAS: Mayor Morrow, Aldermen Kiss, McCulloch, Drury, Copps, Lombardo, Formosi, Gallagher, Murray. -9.

NAYS: Aldermen Agro, Wilson, Merling. -3.

CARRIED.

July 30, 1991

2. Resolution dated June 25, 1991 from the City of Kitchener respecting proposed amendments to the Ontario Labour Relations Act.

Referred to the Finance and Administration Committee.

3. Resolution dated June 26, 1991 from the City of Toronto respecting "Zero Discharge Statement of Principles".

Referred to the Region Municipality of Hamilton-Wentworth.

4. Resolution dated June 28, 1991 from the Regional Municipality of Waterloo respecting the Development Charges Act.

Referred to the Finance and Administration Committee.

5. Resolution dated June 20, 1991 from the City of Oshawa regarding financial support for the continuation of the Rolling Thunder Theatre Group.

Referred to the Finance and Administration Committee.

6. Resolution dated June 21, 1991 from the City of Niagara Falls regarding Licensed Lottery Operations.

Referred to the Finance and Administration Committee.

7. Resolution dated July 17, 1991 from the City of Nepean pertaining to the calling of a Royal Commission of Inquiry into the circumstances surrounding the Air India tragedy.

Referred to the Finance and Administration Committee.

8. Letter dated July 9, 1991 from Alderman M. Kiss and petition dated July 4, 1991 opposing the construction of a parking lot at Churchill Park .

Received.

9. Petition dated July 24, 1991 from "The Business People of James Street North respecting the Jamesville B.I.A.

Referred to the Planning and Development Committee.

July 30, 1991

10. Letter dated July 11, 1991 from J. Henderson Nurre, Chairman, Cari-Can Festival respecting the decision not to fund the 1991 Canadian Caribbean Festival of Hamilton Committee.

Received.

11. Application dated June 24, 1991 from Tyka Investment Limited, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "RT-30" (Street-Townhouse) District and "C" (Urban Protected Residential etc.) District for 1158 Upper Wentworth Street, Hamilton, Ontario.

Received.

12. Application dated June 27, 1991 from Henry A. Hader, Hamilton, Ontario for a modification to the "C" (Urban Protected Residential, etc.) District for 161 Delaware Avenue, Hamilton, Ontario.

Received.

13. Application dated June 28, 1991 from Hamcon Co-operative Housing Services, Hamilton, Ontario for a change in zoning from "H" (Community Shopping and Commercial, etc.) District to "CR-2" (Commercial-Residential) District for 145 MacNab Street North, Hamilton, Ontario.

Received.

14. Application dated June 28, 1991 from Catherine Marie Healey (Healey Hair Design), Hamilton, Ontario for a modification to the "C" (Urban Protected Residential, etc.) District for 126 Lilacside Drive, Hamilton, Ontario.

Received.

15. Application dated July 8, 1991 from James and Mary Mikles, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for 1062 and 1088 Upper Paradise Road, Hamilton, Ontario.

Received.

July 30, 1991

16. Application dated July 8, 1991 from Christopher Pies Inc., Hamilton, Ontario for a change in zoning from "C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial, etc.) District for 27 Rymal Road West, Hamilton, Ontario.

Received.

17. Application dated July 19, 1991 from the Hamilton Region Conservation Authority for a modification to the "AA" (Agricultural) District regulations for land municipally known as No. 100 Confederation Drive, Hamilton, Ontario.

Received.

18. Letter dated June 28, 1991 from Mr. K. E. Avery, City Clerk respecting an objection to By-law No. 91-99 respecting 172 Sanford Avenue South.

No Action.

19. Letter dated June 28, 1991 from Mr. K. E. Avery, City Clerk respecting an objection to By-law No. 91-101 respecting property at 126, 128, 130, 132, 134 and 136 Young Street.

No Action.

20. Letter dated June 28, 1991 from Mr. K. E. Avery, City Clerk respecting an objection to By-law No. 91-104 respecting property at 70 West Avenue South.

No Action.

21. Undated letter from Ms. Terri Adele Stubbs re: conduct of a council member.

Received.

22. Letter dated July 30, 1991 from Mr. George Moore, Netmedia Enterprises re: Bill Distributors and Bill Posters.

Received.

July 30, 1991

23. Letter dated July 30, 1991 from Mr. Dave Copeland, Advertising Director, The Hamilton Spectator Re: Bill Distributors and Bill Posters.

Received.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Agro that Council move into Committee of the Whole to consider the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Information Systems Committee, the Report of His Worship Mayor R. M. Morrow, and the Finance and Administration Committee, with Alderman Gallagher in the chair.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Copps, Wilson, Lombardo, Formosi, Jackson, Merling, Gallagher, Murray, Ross. -14.

NAYS: 0.

CARRIED.

* * * * *

TRANSPORT AND ENVIRONMENT COMMITTEE - TENTH REPORT

Section 14 (a) Sidewalks - Sorrento Place

It was moved by Alderman Merling and seconded by Alderman Murray that section 14 of the Tenth Report of the Transport and Environment Committee be amended by deleting sub-section (a) in its entirety and substituting in lieu thereof the following:

- 14 (a) That sidewalks be constructed on the east side of Sorrento Place from the north limit of house #35 southerly to Como Drive, and on the west side of Sorrento Place from the north limit of house #40 southerly on Como Drive.

CARRIED.

* * * * *

Section 18 Application to retain inadvertent encroachments

It was moved by Alderman Merling and seconded by Alderman Murray that Section 18 of the Tenth Report of the Transport and Environment Committee for 1991 be amended by adding the following before Sub-section (a):

That the applications to retain inadvertent encroachments and install temporary encroachments at the locations outlined in Appendix "C", be approved during the pleasure of Council provided:"

and, further by amending Sub-section (c) be deleting "Schedule "A" and substituting in lieu thereof the words "Appendix "C". **CARRIED.**

* * * * *

TRANSPORT AND ENVIRONMENT COMMITTEE - ELEVENTH REPORT

* * * * *

PARKS AND RECREATION COMMITTEE - FOURTEENTH REPORT

Section 7 Permission to have alcoholic beverages at Dundurn Park - Hester Street Bocce Association.

Recorded Vote:

YEAS: Mayor Morrow, Aldermen Kiss, McCulloch, Drury, Copps, Wilson, Lombardo, Formosi, Merling, Gallagher, Murray, Ross. -12.

NAYS: Alderman Jackson. -1. **CARRIED.**

* * * * *

Section 8 Permission to sell alcoholic beverages - Greek-Canadian Church.

Recorded Vote:

YEAS: Mayor Morrow, Aldermen Kiss, McCulloch, Drury, Copps, Wilson, Lombardo, Formosi, Merling, Gallagher, Murray, Ross. -12.

NAYS: Alderman Jackson. -1. **CARRIED.**

July 30, 1991

Section 9 Pier 4 Park, Eastwood Park and Bayview Park to host Amstel's Greater Hamilton Aquafest

Recorded Vote:

YEAS: Mayor Morrow, Aldermen Kiss, McCulloch, Drury, Copps, Wilson, Lombardo, Formosi, Merling, Gallagher, Murray, Ross. -12.

NAYS: Alderman Jackson. -1. **CARRIED.**

* * * * *

PARKS AND RECREATION COMMITTEE - FIFTEENTH REPORT

Section 1 Purchase Order - Moore/George Associations Inc. - Parks and Recreation Open Space Master Plan

It was moved by Alderman Merling and seconded by Alderman Ross that Section 1 of the Fifteenth Report of the Parks and Recreation Committee be referred back with instructions that a recommendation be brought back to City Council for this study to be carried out "in-house".

Recorded Vote:

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Copps, Wilson, Lombardo, Formosi, Merling, Gallagher, Murray, Ross. -13.

NAYS: Alderman Jackson. -1. **CARRIED.**

* * * * *

PLANNING AND DEVELOPMENT COMMITTEE - ELEVENTH REPORT

* * * * *

INFORMATION SYSTEMS COMMITTEE - FOURTH REPORT

* * * * *

July 30, 1991

REPORT OF HIS WORSHIP MAYOR R. M. MORROW - SECOND REPORT

Section 1 Appointment of Citizen Members - Mayor's Race Relations Committee

Recorded Vote.

YEAS: Mayor Morrow, Aldermen Kiss, McCulloch, Drury, Copps, Wilson, Lombardo, Formosi, Jackson, Gallagher, Ross. -11.

NAYS: Alderman Murray. -1. **CARRIED.**

* * * * *

FINANCE & ADMINISTRATION COMMITTEE - FOURTEENTH REPORT

* * * * *

FINANCE & ADMINISTRATION COMMITTEE - FIFTEENTH REPORT

Section 26 By-law Respecting Bill Posters and Bill Distributors.

Recorded Vote.

YEAS: Aldermen Kiss, Copps, Wilson, Jackson. -4.

NAYS: Mayor Morrow, Alderman Agro, McCulloch, Drury, Lombardo, Formosi, Merling, Gallagher, Murray, Ross. -10. **LOST.**

* * * * *

July 30, 1991

Section 30 Non-use of Sexist Language\Establishment of a Committee

Alderman Gallagher declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Gallagher advised that he was leaving the Council Chamber for the duration of the debate on this matter.

Recorded Vote on Section 30 (a)

YEAS: Mayor Morrow, Aldermen Kiss, Drury, Wilson, Jackson. - 5.

NAYS: Aldermen McCulloch, Copps, Lombardo, Formosi, Merling, Murray, Ross. -7.
LOST.

Recorded Vote on Section 30 (b)

YEAS: Mayor Morrow, Aldermen Kiss, Drury, Wilson, Jackson. - 5.

NAYS: Aldermen McCulloch, Copps, Lombardo, Formosi, Merling, Murray, Ross. -7.
LOST.

* * * * *

Section 38 Introduction of Bills

It was moved by Alderman McCulloch and seconded by Alderman Kiss that section 38 of the Fifteenth Report of the Finance and Administration Committee be amended by deleting Bill H-35 - A By-law to Replace Schedule 19, To Licensing By-law 79-323 Respecting Bill Posters and Bill Distributors, Etc."
CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman McCulloch that Alderman D. Ross be appointed Acting Mayor for the month of August, 1991. **CARRIED.**

* * * * *

July 30, 1991

It was moved by Alderman Kiss and seconded by Alderman McCulloch that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Information Systems Committee, the Report of His Worship Mayor R. M. Morrow, and the Finance and Administration Committee and resolutions be adopted.

YEAS: Mayor Morrow, Aldermen Kiss, McCulloch, Drury, Copps, Wilson, Lombardo, Formosi, Jackson, Merling, Gallagher, Murray, Ross. -13.

NAYS: -0. **CARRIED.**

* * * * *

It was moved by Alderman Kiss and seconded by Alderman McCulloch that the following Bills be now read a first time:

A-49, A-50, A-51, A-52, A-53, A-54.
C-50, C-51, C-52, C-53, C-54, C-55, C-56, C-57, C-58.
H-33, H-34, H-36, H-37.

YEAS: Mayor Morrow, Aldermen Kiss, McCulloch, Drury, Copps, Wilson, Lombardo, Formosi, Jackson, Merling, Gallagher, Murray, Ross. -13.

NAYS: 0. **CARRIED.**

* * * * *

It was moved by Alderman Kiss and seconded by Alderman McCulloch that Council move into Committee of the Whole to consider the following Bills, with Alderman Gallagher in the chair. (second reading)

A-49, A-50, A-51, A-52, A-53, A-54.
C-50, C-51, C-52, C-53, C-54, C-55, C-56, C-57, C-58.
H-33, H-34, H-36, H-37.

YEAS: Mayor Morrow, Aldermen Kiss, McCulloch, Drury, Copps, Wilson, Lombardo, Formosi, Jackson, Merling, Gallagher, Murray, Ross. -13.

NAYS: 0. **CARRIED.**

* * * * *

July 30, 1991

Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Kiss and seconded by Alderman McCulloch that the Report of the Committee of the Whole on the following Bills, be adopted. -

A-49, A-50, A-51, A-52, A-53, A-54.
C-50, C-51, C-52, C-53, C-54, C-55, C-56, C-57, C-58.
H-33, H-34, H-36, H-37.

YEAS: Mayor Morrow, Aldermen Kiss, McCulloch, Drury, Copps, Wilson, Lombardo, Formosi, Jackson, Merling, Gallagher, Murray, Ross. -13.

NAYS: 0.

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman McCulloch that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-49, A-50, A-51, A-52, A-53, A-54.
C-50, C-51, C-52, C-53, C-54, C-55, C-56, C-57, C-58.
H-33, H-34, H-36, H-37.

YEAS: Mayor Morrow, Aldermen Kiss, McCulloch, Drury, Copps, Wilson, Lombardo, Formosi, Jackson, Merling, Gallagher, Murray, Ross. -13.

NAYS: 0.

CARRIED.

* * * * *

City Council then adjourned at 10:20 o'clock p.m.

* * * * *

CORRESPONDENCE

1. Letter dated August 14, 1991 from Mr. Andy Robertson re: sale of city owned lands on Gerrard and Brant Streets to Phillip Enterprises Inc.

Recommendation:

Be Referred to the Planning and Development Committee.

2. Letter dated August 15, 1991 from Jerome N. Sprackman, President, Landawn Shopping Centres Limited respecting taxes.

Recommendation:

Be Referred to the Finance and Administration Committee.

3. Resolution dated July 15, 1991 from the City of Vancouver respecting Comprehensive Nuclear Weapons Test Ban.

Recommendation:

Be Referred to the Finance and Administration Committee.

4. Application dated August 1, 1991 from Rymal Gardens Inc. Hamilton, Ontario for a change in zoning from "RT-10" to "RT-20" for land on the east side of the proposed extension of Upper Wentworth Street in the area north of Rymal Road East, Hamilton, Ontario.

Recommendation:

Be Received.

5. Application dated August 20, 1991 from Kingdom Properties Inc., Hamilton, Ontario for a change in zoning from "H" (Community Shopping and Commercial etc, (District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District and "E" (Multiple Dwellings, Lodges, Clubs, etc.) District modified for 623 Upper James Street, Hamilton, Ontario.

Recommendation:

Be Received.

6. Application dated August 20, 1991 from Ritlyn Investments Ltd., Hamilton, Ontario for a change or modification in zoning to permit parking for property at No. 95 Mary Street, Hamilton, Ontario.

Recommendation:

Be Received.

7. Application dated August 21, 1991 from Harnox Holdings Limited, Don Mills, Ontario for a modification to the "HH" (Restricted Community Shopping and Commercial, etc.) District for No. 1051 Upper James Street, Hamilton, Ontario.

Recommendation:

Be Received.

8. Letter dated August 8, 1991 from Mr. K. E. Avery, City Clerk respecting an objection to By-law No. 91-125 respecting 1285 Upper Gage Avenue, Hamilton, Ontario. (previously distributed).

240 Bendamere Ave.,
HAMILTON, L9C 1P5
Tel 389 - 4509
Aug. 14, 1991

Corporation City of Hamilton
City Hall, HAMILTON
L8N 3T4

Re: Sale of City Land to Phillip Enterprises Inc.

Mayor Morrow, Members of Council

I have only recently learned of a decision by Council to sell five parcels of land on Gerrard Street and Brant Street to Phillip Enterprises Inc. The lands are as described and recommended in Item 16 of the ELEVENTH Report for 1991, of the Planning and Development Committee. Your approval was given at the last Council meeting on July 30, 1991.

This land was the subject of some earnest discussion at a meeting of the Business Land Use Advisory Board on February 13, 1990. At that time there were concerns expressed that the City was acquiring land which would be sold to Phillip Enterprises. The Real Estate Department advised us at that time that "..... lands cannot be sold until the entire site has been assembled...". In a follow up memo they then said "...it is illegal (Municipal Act) for the City to acquire property for any private corporation.....".

To start with the entire site has not been assembled, so that a sale now would be in breach of that covenant.

Further, a sale of these parcels, piece meal, could have serious consequences on the resale value and/or utility of the remaining parts of the assembly, which the City is presently expropriating.

As well, if there is to be any road closing (which is a real possibility) this sale could seriously affect the subsequent value, and/or utility of these lands.

Too, there is the cherished right of all taxpayers to have an equal opportunity to purchase surplus City property. Clearly the public have not been afforded these opportunities and should be, unless there are pressing and public reasons they should not.

Phillip Enterprises were assembling land in this block long before the City came on the scene. It is pretty apparent that if the City had not intervened, Phillips would have bought these parcels in the normal way of the private sector.

The sale price is noted as \$268,950.00 for the five parcels. If the City is compelled to sell directly to Phillips without public tender or auction or other competitive means, It should require that Phillips pay all of the City's costs related to the acquisition of these parcels. The sale price as contemplated does not come close to recapturing the actual outlays and, as is so quaintly put, the "opportunity costs".

This deal is not in the best interest of the citizens of Hamilton and I urge you to reject it. The least you can do is to send it back for review.

A handwritten signature in dark ink, appearing to read 'Andy Robertson', with a stylized flourish above the name.

Andy Robertson

c.c Chairman and members Business Land Use Advisory Board.



2

RECEIVED

August 15, 1991

AUG 30 1991

The Corporation of the City of Hamilton
City Hall
Hamilton, Ontario
L8N 3T4

CITY CLERKS

Attention: The Office of the Mayor

Dear Sir/Madame:

RE: PROPERTY TAXES

CONFEDERATION SQUARE, 45 GODERICH ROAD, HAMILTON
ROLL NO. 25 18 050 481 056 50 0000
CONFEDERATION SQUARE II, 35 GODERICH ROAD, HAMILTON
ROLL NO. 25 18 050 481 056 45 0000
KINGFISHER SQUARE, 920 UPPER WENTWORTH ST., HAMILTON
ROLL NO. 25 18 070 833 081 00 0000
LIMERIDGE MEWS, 1221 LIMERIDGE ROAD, E., HAMILTON
ROLL NO. 25 18 060 571 550 00 0000
UPPER GAGE SQUARE, 1050 UPPER GAGE, HAMILTON
ROLL NO. 25 18 070 644 050 00 0000
879 UPPER JAMES, HAMILTON
ROLL NO. 25 18 070 883 000 70 0000

The Ontario economy is suffering dramatically. The severity of the current recession is being fuelled by Canada's declining competitiveness, the inflated Canadian dollar, the disappearing industrial base, low consumer confidence caused by high unemployment, high bankruptcy rates and declining personal disposable income. Taxation at the Municipal, Provincial and Federal levels have had to increase in order to support the economic ills of the Canadian population. This approach can only provide temporary relief as the high tax burden overwhelms businesses and individuals to a point where capital investment and/or business operations cease.

I do not purport to represent every one of my tenants or their employees, but I feel compelled to speak up on their, and my own, behalf. It is well recognized that retailers have been battered by the economy, cross border shopping, and the Sunday closing law. To compound these non-competitive conditions, tenants are facing extremely high realty tax costs. In an effort to reduce this burden, I have had our property tax consultants appeal each shopping centre's provincial assessment over the past three years with a small degree of success. Ontario's tax assessment system is confusing and unfair; most regions use an income approach

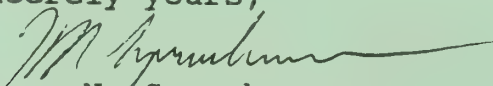
.... /2

instead of a more objective, reliable and realistic cost approach. This is especially apparent in times when tenants cannot even afford to pay their contracted minimum rent.

Unfortunately, this appeal process is not enough as realty tax levels are no longer affordable. Accordingly, I am asking you for your support especially given that the City of Hamilton has increased its commercial mill rate by 16.05% from 1989 to 1991 and the tax costs on a per square foot basis is significantly greater than other comparable cities in Ontario. I have instructed my accounting department to pay taxes based on \$ 2.00 per square foot of leased space as on the attached schedule.

I am doing this because I believe that your government has to sacrifice and support its businesses in order for them to survive. Please either call me directly to discuss or I will gladly appear at City Council at your request.

Sincerely yours,


Jerome N. Sprackman
President

Encl.

c.c. ✓ City of Hamilton - City Clerk's Office

City of Hamilton - Tax Department

Region of Hamilton-Wentworth
71 Main Street, West
Hamilton, Ontario
L8N 3T4

Hamilton Board of Education
100 Main Street, West
Hamilton, Ontario
L8N 3L1

Hamilton-Wentworth Separate School Board
90 Mulberry Street
P.O. Box 2012
Hamilton, Ontario
L8N 3R9

	45 GODERICH	35 GODERICH	920 UPPER WENTWORTH	1221 LIMERIDGE EAST	1050 UPPER GAGE	879 UPPER JAMES
1991 TOTAL TAXES	\$140,674.71	\$69,101.34	\$196,309.68	\$62,595.12	\$103,999.33	\$45,581.89
TAX ON VACANT UNITS	(\$12,836.00)	(\$14,462.00)	\$0.00	\$0.00	(\$6,994.00)	\$0.00
EXCESS TAX OVER \$ 2.00 P.S.F.	(\$58,998.71)	(\$29,719.34)	(\$65,297.68)	(\$25,867.12)	(\$42,603.33)	(\$25,133.89)
1991 TAX REMITTANCE	\$68,840.00	\$24,920.00	\$131,012.00	\$36,728.00	\$54,402.00	\$20,448.00



CITY OF VANCOUVER
BRITISH COLUMBIA

RECEIVED

AUG 6 1991

JUL 22 1991

3.

CITY CLERKS
OFFICE OF THE CITY CLERK

CITY HALL • 453 WEST 12th AVENUE, VANCOUVER, BRITISH COLUMBIA V5Y 1V4 •

(604) 873-7011
FAX No. 873-7419

REPLY ATTN. Mr. Gil Mervyn

FILE NO. 3058-3

MARIA KINSELLA
CITY CLERK

DENNIS BACK
DEPUTY CITY CLERK

*✓ To Clerk
for C.C.
+ commit*

July 15, 1991

Mayor and Council Members
P.O. Box 2040
Hamilton, Ont.
L8N 3T4

Dear Mayor and Council Members:

Re: Comprehensive Nuclear Weapons Test Ban

The Vancouver City Council Special Advisory Committee on Peace has, as part of its mandate, the responsibility to collect and exchange information and to network with other Canadian Municipalities involved in peace initiations.

The Special Council Advisory Committee on Peace therefore wishes to advise that Vancouver City Council, during its meeting held on April 9, 1991, after considering a report of the Special Advisory Committee on Peace, passed the following motion:

"THAT WHEREAS Vancouver City Council on September 26, 1989, unanimously requested the Government of Canada to change the policy and henceforth actively support negotiations for a Comprehensive Nuclear Weapons Test Ban (CNWTB) in every appropriate international forum, including the United Nations and the Conference on Disarmament;

.../2



July 15, 1991
Page Two

AND WHEREAS the City Councils of Ottawa, London, Toronto, Winnipeg, Calgary and Red Deer made similar requests to the Federal Government during 1990;


AND WHEREAS there has still been no favourable response to these requests from the Government of Canada;

THEREFORE BE IT RESOLVED THAT Vancouver City Council renew its September 1989 request to Ottawa."

Vancouver City Council, during its September 12, 1989 meeting, passed a resolution which urged the Federal Government to change its policy and henceforth actively support negotiations for a comprehensive nuclear weapons test ban in every appropriate international forum, including the United Nations, and the Conference on Disarmament.

The Committee also urges you to consider giving your support to this resolution and expressing the same to the Federal Government.

Yours truly,


CITY CLERK

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **TWELFTH** Report for 1991 and respectfully recommends:

1. (a) That the agreement granting the Steel Company of Canada access over City owned lands used as an Industrial Spur Line on the west side of the most northerly portion of Parkdale Avenue North, approved by City Council December 27, 1955 as Item 8 of the 21st Report of the Committee of Works be terminated.
- (b) That the City enter into a new agreement granting Philip Environmental Service Corp., during the pleasure of City Council, the use of a portion of the Industrial Spur Line, as public crossing, providing they assume full responsibility for the construction, maintenance and use of the crossing at their expense and that they indemnify and save harmless the City from all claims, damages and expenses it may be put to by reason of the construction and maintenance of such crossing and if in the opinion of the City the railway traffic at this location becomes heavy or congested and a grade separation is found necessary, this permission is to be rescinded. The area being requested is 74.3 square metres (800 square feet), more or less, being triangular in shape on the west side of the most northerly portion of Parkdale Avenue North, for the sum of \$1.00 plus legal fees in the amount of \$500.00 be credited to Account Number CH4X999 00102 (Other Revenues - Reserve for Property Purchases). The agreement is to commence on the first day of the month following City Council's approval.
- (c) That The Steel Company of Canada shall prepare a survey satisfactory to the Manager of Field Surveys, showing the exact area to be described in the agreement prior to the agreement being executed.
- (d) That the lands granted by the City to Philip Environmental Service Corp. include an area sufficient enough to support the asphalted surface and also any side slopes on embankments required to support the driveway/road bed and the access design be acceptable to the City of Hamilton's Traffic Department.

- (e) That the City Solicitor be authorized to prepare the necessary agreement documents.
 - (f) That the Mayor and City Clerk be authorized to execute the agreement documents.
2.
 - (a) That two presently vacant Mechanic's Helper Positions in the Fleet Services Division of the Public Works Department for an estimated annual savings of approximately \$76,282.75 be eliminated.
 - (b) That two Equipment Mechanic II's positions (annual salaries estimated approximately \$77,147.20) be reclassified to two Licensed Mechanics positions. (annual salaries estimated at approximately \$90,316.83.)
 3.
 - (a) That the Streets and Sanitation Division of the Public Works Department be authorized to make application to the Federal Government for the Canadian Job Strategies Unemployment Job Creation Section 25 Programme for funds totalling approximately fifteen thousand dollars (\$15,000.) to employ two temporary full-time staff to assist in research and to establish a terms of reference and guidelines and, assist in the implementation of the following programmes: Poster Buster, Information Kiosk and Curb Ramping Programmes within the Public Works Department; and,
 - (b) That the Mayor and the City Clerk be authorized to sign the Federal/Municipal Agreement for the purpose of implementing the UI Job Creation Section 25; and,
 - (c) That the Law Department be authorized to execute the Agreement referred to in (b); and,
 - (d) That the Treasury Department be authorized to execute the financial administration of the UI Job Creation Section 25.
 4. That the Commissioner of Transportation/Environmental Services be authorized, on behalf of the City of Hamilton, to inform the Ministry of the Environment that the City supports the R. T. Recycling Technology Inc. application for a Certificate of Approval to operate a solid waste processing facility to be located at 20 Warrington Street in Hamilton, provided that the proponent satisfies all development and operation standards required by the City of Hamilton, the Region of Hamilton-Wentworth, and the Ministry of the Environment.
 5. That the West Central Branch of the Ontario Ministry of the Environment (MOE) be advised that the City of Hamilton supports the application by Hotz and Sons

Company, the Region's Household Hazardous Waste Disposal Program Contractor, to have its Provisional Certificate of Approval amended to permit the company to receive hazardous wastes from small quantity waste generators.

6.
 - (a) That approval be given to transfer Parts 3 and 4 on Plan 62R-10628 to the former owner for \$1.00 as these lands conveyed to the City for roadwidening purposes through severance, are no longer required for this purpose.
 - (b) That the Director of Property be authorized to prepare the necessary Offer to Purchase.
 - (c) That the City Solicitor be authorized to prepare the deed or deeds conveying the aforementioned parts from the City to the former owner.
7.
 - (a) That the submitted schedule, be adopted for inclusion in the Subdivision Agreement with the Owners, for the estimated cost of services in:

SOUTH HILL - PHASE 2, HAMILTON

City's Share - NIL, Subdivider's Share - \$105,256.12

- (b) That the Mayor and City Clerk be authorized and directed to execute the proposed subdivision agreement between the City and the owners of South Hill - Phase 2 subdivision.
- (c) That the approval of the above clauses be subject to the condition that no work be commenced until the Final Plan and Subdivision Agreement have been registered.
- (d) That in the event the Subdivider wishes to proceed prior to the registration of the Final Plan, he should be permitted to do so at his own risk, provided that he enters into a Standard Agreement for Pre-Servicing.
- (e) That the Mayor and City Clerk be authorized and directed to execute a Modified Subdivision Agreement with Mr. Luciano Filice, owner of the land at 327 Stone Church Road East, provided that Mr. Filice pays for his portion of the City Services along a future street adjacent to his property when the street is built and that the Modified Subdivision Agreement is to be in a form satisfactory to the City Solicitor and the Commissioner of Transportation/Environmental Services.
- (f) That the following clause be added to the City Modified Subdivision agreement to be executed by Mr. Filice and the City of Hamilton.

"The owner(s) for itself, its heirs, successors and assigns covenants, agrees and acknowledges to the City that in the event that the land being severed and land being retained is subsequently subdivided and/or developed and/or severed that the then land owner(s) shall be required to pay to the City costs for the City's services in the roadway propose along the westerly limit of the land being retained and the land being severed, extending from the Stone Church Road to the northerly limit of the property. The phrase "the City services" includes road, sidewalks, curb, street trees, street lighting and land costs."

8. That the action of the Commissioner of Transportation/Environmental Services be confirmed in authorizing:

The application of Mr. Duncan Morrison on behalf of the East 34th Street Residents' Committee (277 East 34th Street) to temporarily close East 34th Street between Fennell Avenue East and Brucedale Avenue East to hold a barbecue and street dance on Saturday, July 20, 1991, from 3:00 p.m. to 12:00 midnight, subject to the following conditions:

- (a) That the applicant receive "Temporary Street Closure Application" approval from the Regional Police Department, Traffic Division, and that all barricading, detour signing and traffic control will be subject to the direction of the Regional Police Department, and at the expense of the organizing group;
- (b) That temporary road closure signs be installed in advance by the City of Hamilton, Traffic Department (if deemed appropriate), on the affected roadway and at the expense of the organizing group;
- (c) That the applicant ensure that clean-up operations will be carried out by 12:00 midnight on July 20, 1991, immediately before the re-opening of the street, at no cost to the City;

9. That the action of the Commissioner of Transportation/Environmental Services be confirmed in authorizing:

The application of Mr. Saul Zemaitis, Hamilton Regional Director of the Ontario March of Dimes Association, to temporarily close Jarvis Street from King William Street to the Municipal Parking Lot at King Street East, on Friday August 16, 1991 from 3:00 p.m. to 11:00 p.m., subject to the following conditions:

- (a) That the applicant receive "Temporary Street Closure Application" approval from the Regional Police Department, Traffic Division, and that all barricading, detour signing and traffic control will be subject to the direction of the Regional Police Department, and at the expense of the organizing group;
 - (b) That temporary road closure signs be installed in advance by the City of Hamilton, Traffic Department (if deemed appropriate), on the affected roadways, and at the expense of the organizing group;
 - (c) That the applicant ensure that clean-up operations will be carried out immediately before the re-opening of the street, at no cost to the City;
 - (d) That the applicant provide proof of \$2,000,000 public liability insurance, naming the City as an added insured party with a provision for cross liability, and holding the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
 - (e) That the applicant reimburse the Regional Police Department, Regional Engineering Department, City of Hamilton Traffic Department, and any other agency for any costs incurred by these agencies as a result of this event;
 - (f) That no property owner or resident within the barricaded area will be denied access to their property upon request;
 - (g) That all property owners and tenants along the closed portion of the route be notified of the street dance and barbecue by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.
10. That the action of the Commissioner of Transportation/Environmental Services be confirmed in authorizing:

The Gosford Street Neighbourhood Watch to temporarily close Gosford Street between Upper Paradise Road and Gilcrest Street on Saturday, July 20, 1991, from 10:30 a.m. to 8:00 p.m. to hold a carnival to benefit the Muscular Dystrophy Association, subject to the following conditions:

- (a) That the applicant receive a "Temporary Street Closure Application" approval form from the Regional Police Department, Traffic Division, and that all barricading, detour signing, and traffic control be subject to the direction of the Regional Police Department, and at the expense of the organizing group;

- (b) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department (if deemed appropriate), on the affected roadways at the expense of the organizing group;
 - (c) That the applicant ensure that clean-up operations will be carried out immediately before the re-opening of the road, at no cost to the City;
 - (d) That the applicant provide proof of \$2,000,000 public liability insurance, naming the City as an added insured party with a provision for cross liability, and holding the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
 - (e) That the applicant reimburse the Regional Police Department, Regional Engineering Department, City of Hamilton Traffic Department, and any other agency for any costs incurred by these agencies as a result of this event;
11. That the applications to retain inadvertent encroachments and install temporary encroachments at the locations outlined on Schedule "A", appended hereto, be approved during the pleasure of Council provided:
- (a) That the owners enter into agreements satisfactory to the Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
 - (b) That the Mayor and City Clerk be authorized to sign and execute all necessary documents to implement these agreements.
 - (c) That the first year fee and subsequent annual fee outlined in Schedule "A" be set for these encroachments.
12. (a) That the Commissioner of Transportation/Environmental Services be directed to prepare a By-Law for the stopping-up and altering of Golf Links Road at the City of Hamilton Limits;
- (b) That the City Clerk be directed to publish a notice pursuant to Section 301 of the Municipal Act R.S.O. 1980, of City Council's intention to pass the By-Law;
 - (c) That the Commissioner of Transportation/Environmental Services be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval for the proposed stopping up and altering of Golf Links Road pursuant to Section 48 of the Regional Act.

13.
 - (a) That the following City lands, known as parts of Lot 30, Concession 4, Saltfleet, be incorporated into Quigley Road;
 - (b) That the appropriate By-Law to carry out the incorporation of the said lands into Quigley Road be enacted by Council;
 - (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-law.
14. That City Traffic **By-Law 89-72** be amended as follows:
 - (a)
 - i. That westbound traffic on Chert Avenue be required to stop for northbound and southbound traffic on Derek Drive; and
 - ii. That eastbound traffic on Derek Drive be required to stop for northbound and southbound traffic on National Drive; and
 - iii. That southbound traffic on Chert Avenue be required to stop for eastbound and westbound traffic on National Drive; and
 - ix. That northbound traffic on Ellen Avenue be required to stop for eastbound and westbound traffic on National Drive; and
 - x. That southbound traffic on Ellen Avenue be required to stop for eastbound and westbound traffic on Tommar Place; and
 - xi. That westbound traffic on Tommar Place be required to stop for northbound and southbound traffic on National Drive; and
 - xii. That northbound traffic on National Drive be required to stop for eastbound and westbound traffic at the easterly intersection with Tommar Place.
 - (b)
 - i. That northbound traffic on Millstream Court be required to stop for eastbound and westbound traffic on Appleford Road; and
 - ii. That northbound traffic on the north and south legs of Forestgate Drive be required to stop for eastbound and westbound traffic on Appleford Road.
 - (c)
 - i. That northbound traffic on Alto Drive be required to stop for eastbound and westbound traffic on Capilano Drive; and

- ii. That southbound traffic on Glen Valley Drive be required to stop for eastbound westbound traffic on Capilano Drive.
- (d) That northbound traffic on Old Orchard Drive be required to stop for eastbound and westbound traffic at the northerly intersection with Gainsborough Road.
- (e) That northbound traffic on the south approach of Briarwood Crescent be required to stop for eastbound and westbound traffic on the east and west approaches to the intersection.
- (f)
 - i. That northbound traffic on the north leg of Pearson Drive be required to stop for eastbound and westbound traffic on Mount Pleasant Drive; and
 - ii. That eastbound traffic on the south leg of Pearson Drive be required to stop for northbound and southbound traffic on Mount Pleasant Drive; and
 - iii. That three-way stop control be implemented at the intersection of Templemead Drive and Royal Vista Drive; and
 - ix. That southbound traffic on Rita Avenue be required to stop for eastbound and westbound traffic on Royal Vista Drive; and
 - x. That westbound traffic on the north leg of Mount Pleasant Drive be required to stop for northbound and southbound traffic on Templemead Drive; and
 - xi. That southbound traffic on the south leg of Mount Pleasant Drive be required to stop for eastbound and westbound traffic on Templemead Drive; and
 - xii. That eastbound traffic on Ingrid Court be required to stop for northbound and southbound traffic on Templemead Drive; and
 - xiii. That eastbound traffic on Innswood Place be required to stop for northbound and southbound traffic on Templemead Drive; and
 - xiv. That southbound traffic on Pompano Court be required to stop for eastbound and westbound traffic on Pearson Drive; and

- x. That westbound traffic on Independence Drive be required to stop for northbound and southbound traffic on Mount Pleasant Drive; and
- xi. That northbound traffic on Independence Drive be required to stop for eastbound and westbound traffic on Templemead Drive; and
- (g) That three-way stop control be implemented at the intersection of Lake Avenue and Huckleberry Drive.
- (h)
 - i. That northbound traffic on Ashridge Place be required to stop for eastbound and westbound traffic on Broughton Avenue; and
 - ii. That southbound traffic on Derby Street be required to stop for eastbound and westbound traffic on Ossington Drive; and
 - iii. That southbound traffic on Charwood Court be required to stop for eastbound and westbound traffic on Beaverbrook Avenue; and
 - iv. That southbound traffic on Hartleigh Court be required to stop for eastbound and westbound traffic on Beaverbrook Avenue; and
 - v. That southbound traffic on Grayrocks Avenue be required to stop for eastbound and westbound traffic on Beaverbrook Avenue; and
 - vi. That three-way stop control be implemented at the intersection of Broughton Avenue and Grayrocks Avenue; and
 - vii. The three-way stop control be implemented at the intersection of Cadham Boulevard and Broughton Avenue; and
 - viii. That southbound traffic on Ossington Drive be required to stop for eastbound and westbound traffic on Beaverbrook Avenue; and
 - ix. That southbound traffic on Broughton Avenue be required to stop for eastbound and westbound traffic on Beaverbrook Avenue.
- (i) That four-way stop control be implemented the intersections of Christie Street and Kennedy Avenue or Christie Street and Alderson Drive.
- (j) That four-way stop control be implemented at the intersection of Dufferin Street and Paradise Road.

- (k)
 - i. That the four existing two hour parking meters on the west side of Walnut Street between Hunter Street and a point 154 feet northerly therefrom be removed; and
 - ii. That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the west side of Walnut Street commencing at a point 54 feet north of Hunter Street and extending to a point 100 feet northerly therefrom.
- (l) That the existing one hour parking meters on both sides of MacNab Street between York and Cannon be changed to two hour meters.
- (m) That a "No Parking" regulation be implemented on the east side of Mary Street commencing at Simcoe Street and extending to a point 91 feet southerly therefrom.
- (n) That a "No Stopping, Wheelchair Loading Only, 11:00 a.m. to 7:00 p.m., seven days a week" regulation be implemented on the east side of Julian Avenue, commencing at a point 190 feet south of Britannia Avenue and extending to a point 24 feet southerly therefrom.
- (o) That a "No Stopping, Wheelchair Loading Only, 7:00 a.m. to 9:00 p.m., seven days a week" regulation be implemented on the west side of Greendale Drive commencing at a point 184 feet south of the south curb line of the north leg of Greendale Drive and extending to a point 17 feet southerly therefrom.
- (p)
 - i. That a "Permit Parking" regulation be implemented on the south side of Picton Street West commencing at a point 134 feet east of Bay Street North and extending to a point 21 feet easterly therefrom; and
 - ii. That the Director of Traffic Services be authorized to issue one parking permit to Mr. William Walton, 61 Picton Street West.
- (q)
 - i. That a "Permit Parking" regulation be implemented on the south side of Hillcrest Avenue, commencing at a point 165 feet west of the extended west curb line of Beulah Avenue and extending to a point 20 feet westerly therefrom; and
 - ii. That the Director of Traffic Services be authorized to issue one parking permit to Mrs. F. Cochrane, 99 Hillcrest Avenue.
- (r) That three-way stop control be implemented at the intersection of Carriagegate Drive and Parkplaza Drive.

15. That the application of Ms. Mara Pavlica to lease a portion of the boulevard of Glow Avenue adjacent to No. 176 Glow Avenue be approved provided that:
- (a) The applicant pay the annual fee in accordance with the fee structure approved by the City Council on 1986 March 25 (current rate is \$55.59 per year) plus taxes, if any, in addition to the \$10.00 encroachment insurance charge approved by the City Council on 1984 February 14.
 - (b) The owners pay a one time \$25.00 registration fee, as approved by the City Council on 1986 January 14.
 - (c) The owner pays a one time \$166.77 processing fee, as approved by the City Council on 1988 January 12.
 - (d) The owner complies with the requirements as set out in the policy approved by the City Council on 1975 June 24, respecting using a portion of road allowance for parking purposes.
 - (e) The driveway approach, parking area and other structures, as approved by the Director of Traffic Services be constructed and maintained at the owners expense.
 - (f) The owner executes an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
16. That in accordance with the request by the Hamilton Street Railway Company, the following new bus routes and bus stops be approved:

Route 5 Delaware

- i. New Bus Route
Greenhill Avenue from King Street East to Summercrest Drive.
- ii. Bus Stop Relocation
 - eastbound - delete - Quigley Road, west side, 104 feet south of Albright Road (F/S)
 - add - Quigley Road, west side, 49 feet north of Albright Road (N/S).
- iii. New Bus Stops

- westbound - on Quigley Road at Veevers Drive, east side, 36 feet south of Veevers Drive (N/S).

- eastbound - on Greenhill Avenue at Monte Drive, west side, 10 feet north of Monte Drive (MB).

- eastbound - on Greenhill, west side, 121 feet north of Tasha Drive (MB).

- eastbound - on Greenhill, west side, 72 feet south of Tommar Place (F/S).

17. That Mrs. Bernice Price, Hamilton Safety Council representative on the Transport and Environment Committee, be authorized to attend the "Freedom to Move is Life Itself" a National Forum on Seniors Transportation in Winnipeg, Manitoba on 1991 October 27 to 30.

18. That leave be granted to introduce the following Bills:

- (a) **Bill A-55** By-law to Incorporate City Lands into Quigley Road
- (b) **Bill A-56** By-law to Amend By-Law 89-72 to Regulate Traffic
- (c) **Bill A-57** By-law to Amend By-Law 89-72 to Regulate Traffic

RESPECTFULLY SUBMITTED,

T. Agnello
Secretary
August 20, 1991

**ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE**

APPENDIX "A" as referred
to in Section 11 of the
TWELFTH Report of the
Transport and Environment
Committee

Page 3-

Council Date: August 30, 1991

<u>Location</u>	<u>Type of Encroachment</u>	<u>Solicitor/Agent</u>	<u>First Year/Annual</u>	<u>File Number</u>
44 Erindale Hamilton, ON	three sets of concrete steps encroach onto a) Erindale Ave. by appr. 3.0' x 0.53' and 9.07' x 16.40' and b) Dundonald Ave. by appr. 9.02' x 8.30'	BORKOVICH & INGRASSIA Barristers and Solicitors 1 Main St. E. Hamilton, ON L8N 1E7	\$105.00/20.00	T103-50(920)
62 William St Hamilton, ON	concrete veranda encroaches onto William St. by appr. 1.69' x 6.40'	ENNIS & ASSOCIATES 105 Main Street E. Hamilton, Ontario L8N 1G6	\$105.00/20.00	T103-50(915)
80 New St. Hamilton, ON	a) three canopies encroach by appr. 3.0' x 5.3' 3.0' x 5.3', and 4.0' x 7.4' b) bay window encroaches by appr. 2.0' x 4.0' c) paving stones and retaining wall encroach by appr. 8.5' x 18.5' x 0.5'	PETRINI, RUBENSTEIN, & WAXMAN 242 James Street South Hamilton, Ontario L8P 3B3	\$105.00/20.00	T103-50(918)

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **SIXTEENTH** Report for 1991 and respectfully recommends:

1. That approval be given of the action taken by the Director of Culture and Recreation in approving the request from the Roselawn Bowling Club to serve beer and wine in conjunction with the Canadian Lawn Bowling Championships to be held at Gage Park on 1991 August 18 to August 22, subject to the following terms and conditions:
 - (a) That the applicant adhere to the regulations stipulated by the Liquor Licence Board of Ontario.
 - (b) That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police, be provided.
2. That approval be granted of the action taken by the Director of Culture and Recreation in approving the request by the Big Brothers Association of Burlington and Hamilton-Wentworth and the Hamilton Tiger-Cat Football Club (the promoter) to utilize the Mountain Arena on 1991 August 22 for Tiger Fest 1, subject to the following terms and conditions:
 - (a) That insurance, in the amount of \$2 million, Comprehensive General Liability Insurance for Property Damage and Bodily Injury naming the City of Hamilton as additional insured, be provided.
 - (b) That the applicant adhere to the terms and conditions as outlined in the Arena Special Event Contract.
 - (c) That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense.
 - (d) That the applicant adhere to the regulations stipulated by the Liquor Licence Board in the provision of alcoholic beverages.

3. That permission be granted to the Hamilton Mixed Three Pitch League to sell beer during the occasion of their fundraising three pitch baseball tournament, scheduled at Red Hill Bowl, 1991 September 14, subject to the following terms and conditions:
 - (a) That proof of \$2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury naming the City as additional insured, be provided.
 - (b) That the applicant meet all requirements of the Liquor Licence Board of Ontario for issuance of a Special Occasion Permit.
 - (c) That the applicant assume responsibility for all labour related costs as a result of this event.
 - (d) That Special Duty Officers, as may be deemed necessary by the Hamilton-Wentworth Regional Police, be provided at the applicant's expense.
4.
 - (a) That approval be given to the Children's Museum to apply to the Ministry of Community and Social Services for a one year Employment Programme grant.
 - (b) That approval be given to Dundurn Castle to apply to the Ministry of Community and Social Services for a one year Employment Programme grant.
5. That the following Royal Canadian Navy artifacts be deaccessioned and unconditionally donated to HMCS Star (Hamilton) Museum:

M1983.189.1 One mess dress jacket, Lieutenant-Commander 1950's, and trousers
M1983.189.2 One pair full dress trousers
M1983.189.3-4 Two mess dress vests
6.
 - (a) That approval be given to the Hamilton Military Museum to apply to the Hamilton Foundation for a grant of up to \$3,000.00 for conservation.
 - (b) That approval be given to the Hamilton Children's Museum to apply to the Hamilton Foundation for a grant of up to \$3,000.00 to be used towards the exhibit "Tale of Tall Trees".

7. That the Terms of Reference for the Collections Development Study for the Hamilton Children's Museum dated 1991 August 6 attached hereto as Appendix "A", be approved.
8.
 - (a) That in 1992 the Children's Museum exhibit schedule be reduced from three exhibits to two per year.
 - (b) That during the interim phase of the long range development plan, the museum close for the months of September and January each year to prepare for the two exhibit changes.
9. That the wording for the Historic Sites and Monuments Board of Canada plaque designating Whitehern of national historic and architectural significance attached hereto as Appendix "B", be approved and that Environment Canada be notified accordingly.
10.
 - (a) That the City Solicitor be authorized and directed to prepare a lease renewal agreement of the lease dated 1988 December 1 in favour of the Hamilton Bay Sailing Club for a portion of the Pier 4 Park, consisting of a 6,433 square foot section near the foot of Leander Drive.
 - (b) That the new term commence 1990 December 1 and expire on 1991 November 30 for an annual rental of \$400.00 to be credited to Account No. CH44104 31106 (Rental - Civic Properties - Civic Properties Rented).
 - (c) That the Mayor and City Clerk be authorized to execute the renewal agreement.
11.
 - (a) That the Mayor and City Clerk be authorized to execute encroachment agreements, in a form satisfactory to the City Solicitor, for the land at the rear of Lots 25 to 29 Greenhill Gardens Phase 3 with the agreement to be prepared by the City and registered against the Title of the lots.
 - (b) That the standard 1.5 m chain link fence, originally to be installed along the property line, be installed along the west encroachment line.

12. (a) That the Director of Public Works be authorized to submit an application to the Ministry of the Environment for an exemption under the Environmental Assessment Act for the remediation (clean up) of the Hamilton Harbourfront (former Lax Property).
 - (b) That the Director of Public Works be authorized to approach the Ministry of the Environment for the purpose of negotiating a special subsidy for the remediation of the Hamilton Harbourfront site.
 - (c) That the Director of Public Works be authorized to commence the consultant selection process regarding implementation of the site remediation work and that awarding of a contract be held pending finalization of funding.
 - (d) That the City's request for Provincial funding of remediation work at the former Lax property shall not prejudice further applications by the City to the Province for development funding.
13. That the concept plans for Beasley Park prepared by V. Ford and Associates, Landscape Architects in concert with the Central/Beasley Citizens' Advisory Committee, Regional and City staff for the Central/Beasley P.R.I.D.E. Programme, attached hereto as Appendix "C", be approved in order that the Consultants can proceed with the preparation of detailed plans, specifications and tender documents at an estimated cost of three hundred and fifty thousand dollars (\$350,000.00), with construction commencing in the Fall of 1991.

Respectfully Submitted,

K. Christenson
Secretary

ALDERMAN T. MURRAY, CHAIRMAN
PARKS AND RECREATION COMMITTEE

1991 August 20

Appendix "A" as referred to
in Section 7 of the SIXTEENTH
Report of the Parks and
Recreation Committee

**COLLECTIONS DEVELOPMENT STUDY
THE HAMILTON CHILDREN'S MUSEUM**

TERMS OF REFERENCE

INTRODUCTION

The Corporation of the City of Hamilton through the Department of Culture and Recreation is proposing a Collections Development Study for the Hamilton Children's Museum. This study is part of the second phase of the Long Range Development Plan which was completed by an outside consultant in 1990. The plan concluded that the expansion of the Hamilton Children's Museum is a much needed and worthwhile project and that the next key step is to identify areas which required further study. A priority was the collection - thus the need for the Collections Development Study.

The consultant will work under the direction of the Manager of Cultural Services and Curator of the Hamilton Children's Museum. Guidance will also be provided by the Director of the Department of Culture and Recreation, Hamilton Historical Board members, museum staff, study team members, educators and with as much community input as possible.

The purpose of the study is to develop a collection plan for the proposed and expanded Children's Museum which is in keeping with the museum statement of purpose. This will be achieved by the consultant who will review the current and proposed (Phase I Study) Statement of Purpose. The collection will include three dimensional historical artifacts and contemporary objects that will become the focal point of the museum. The majority of programmes and exhibits (both permanent and temporary), will be generated by, and highlight, the collection.

BACKGROUND

Children's Museums first emerged at the turn of this century, the first opening in Brooklyn, New York. Today over 200 children and youth museums exist in the United States. In Canada there are four currently in operation. The London Regional Children's Museum (opened 1976), the Hamilton Children's Museum (1978) the Manitoba Children's Museum (1986) and the Canadian Museum of Civilization in Ottawa (1989). Several other museums across this country are presently in the planning stages.

The Hamilton Children's Museum, currently a hands-on participatory museum, has attained an average attendance of between 28,000 to 34,000 visitors over the past several years. It is currently an exhibit-driven museum with three changing displays featured in a given year. As a result of limited space the museum cannot actively collect artifacts nor carry on other programmes which are popular for children's museums.

Phase I of the Long Range Development Plan concluded that an expanded facility is our only option to meet the current needs and trends of our Children's Museum. However, before this can become reality, further research in specific areas must be completed over the next few years. The plan suggested that the museum should be housed in a facility of not less than 20,000 square feet and serve an audience of 100,000 visitors per year. The current exhibition space of 900 square feet would increase to 4,300 square feet including permanent and temporary exhibit space. Funding has been provided in the 1995 Capital Budget for the Children's Museum Re-development.

The Children's Museum is one of five museums of the Cultural Division - Department of Culture and Recreation. There are two historical houses - Dundurn Castle and Whitehern, two speciality museums: The Hamilton Military Museum and The Hamilton Museum of Steam and Technology. The Cultural Division also includes an Arts component.

The Hamilton Historical Board, a citizen based committee with political representation, acts as an advisory board to the Parks and Recreation Committee, a standing committee of Council. The Board's mandate is to advise and recommend museum and heritage matters and promote broader understanding of heritage conservation and preservation principles.

The Study Team of the Children's Museum guided the first phase of the Long Range Development Plan. Membership included interested citizens, educators, staff and board representation (present and past).

TASKS

The consultant will accomplish the following:

COLLECTION DEVELOPMENT

1. Review current and proposed (Phase I) Statement of Purpose and staff comments. Revise policy to include references to collection philosophy, preservation of collections and research.
2. Determine a plan of action for the Collections Development that will best meet the needs of the institution and its clients.
3. Identify subject area(s) for the collection of the museum including local resources and collections (where available and relevant).
The following considerations must be examined for collection criteria:
 - uniqueness to the Hamilton area
 - proposed exhibit space available and staffing
 - availability
 - conservation needs

- appropriate to and popular for children's museums
 - consideration of local collections and services to avoid duplication of efforts
 - consideration of City of Hamilton collections
 - funding restraints for acquisitions
 - ability for museum to use fully and integrate fully its collection with its programmes and exhibits while ensuring the preservation and quality of the collection
 - all legal and ethical practices required by law concerning artifact collections
 - clearly distinguish between apparatus, disposable and permanent artifact collections
4. The consultant will advise on collection strategies and appropriate storage locations until the expanded facility is realized.

Meetings and Workshops

5. The consultant will facilitate at least two workshops to determine collection areas with staff, board members, educators, study team and general public. It is suggested that one meeting be initiated with staff, and Board and Study Team members and others with input by educators and general public.
6. The consultant will meet regularly and informally with staff, and with others as deemed necessary by either party.
7. The consultant will make a presentation of the final document to Study Team members and the Hamilton Historical Board.

Reports

8. Two copies of the draft and final report will be required.
9. The consultant will have access to files, plans, statistics from museum or City Hall relevant to completing the study.

Time Frame

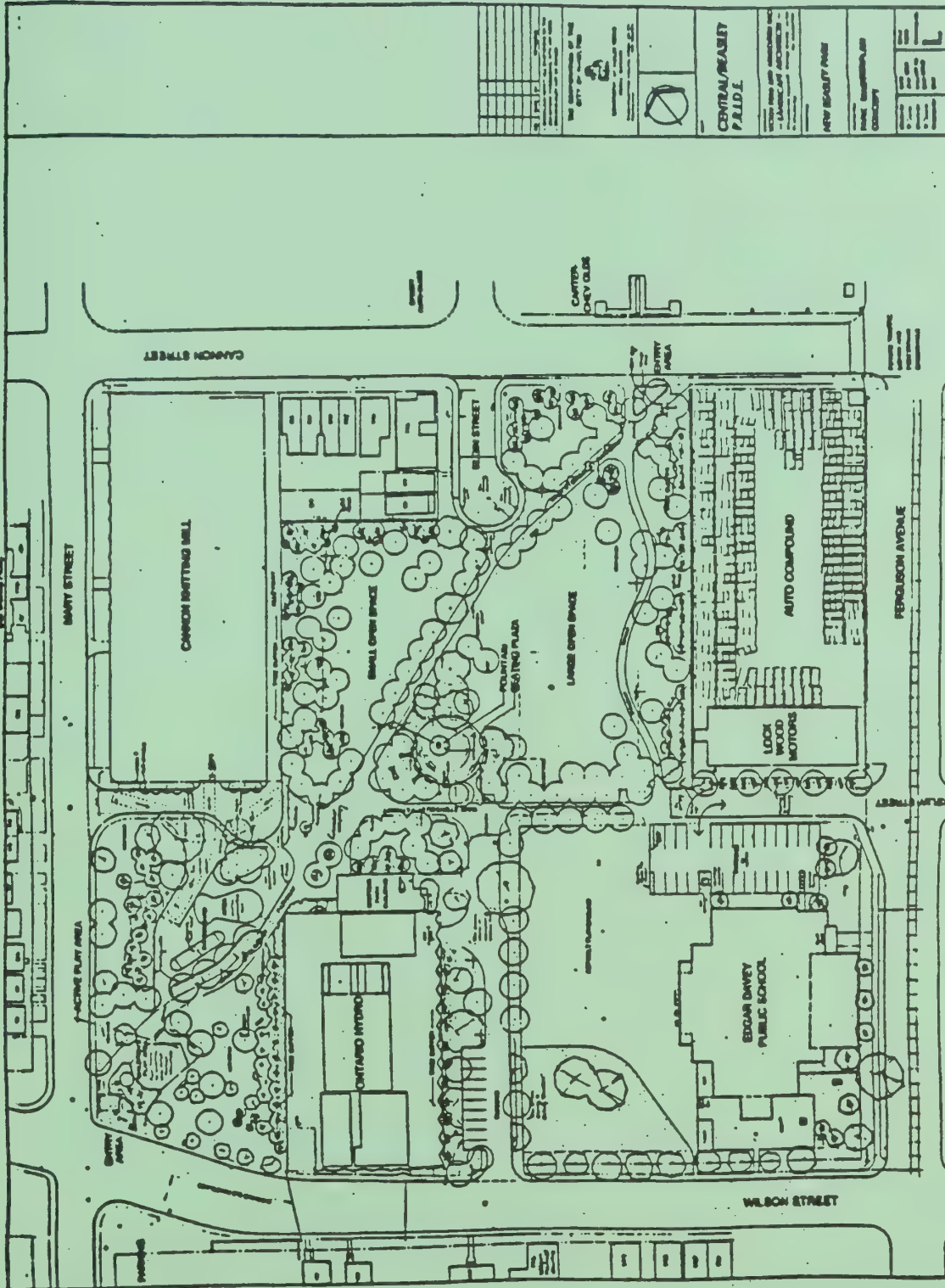
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|-------------|---|
| September | - Consultant to begin project and facilitate meetings. |
| October 1 | - Draft Collection Development Study to be completed, |
| | - Opportunity for review and comment by staff, Hamilton |
| | Historical Board and other participants. |
| October 28 | - Completed study |
| November 12 | - Hamilton Historical Board presentation |
| | - Parks and Recreation presentation may be required |
- 1991 August 6

Appendix "B" as referred to in
Section 9 of the SIXTEENTH Report
of the Parks and Recreation
Committee

WHITEHERN

Set in a rare walled garden and enriched by its interior decoration, Whitehern is a remarkably intact example of mid-19th century residential architecture. The lingering architectural influence of the Palladian style combined with Classic Revival motifs is seen most clearly in the symmetrical facade with its central frontispiece capped by a pediment, and in the sturdy yet graceful entrance porch supported by Ionic columns. Constructed about 1850, this house built of locally quarried stone reflected the affluence and status of the new business and professional elites emerging in pre-Confederation Canada.

Entourée d'un exceptionnel jardin muré, Whitehern offre un exemple remarquablement intact d'habitation du milieu du XIX^e siècle. L'empreinte du style palladien, auquel s'allient des motifs néo-classiques, est particulièrement manifeste dans la façade symétrique, dont le frontispice central est couronné d'un fronton, et dans le porche à la fois solide et élégant qui s'appuie sur des colonnes ioniques. Construite vers 1850, cette maison est fabriquée de pierres d'une carrière locale, avec son riche décor intérieur, témoigne de l'opulence et du statut des élites commerçantes et professionnelles qui se formaient au Canada peu avant la Confédération.



REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **TWELFTH** Report for 1991 and respectfully recommends:

1. (a) That a repayable loan under the Community Heritage Trust Fund in the amount of two thousand, three hundred and thirty-eight dollars (\$2,338.) be approved for Keltie Law, 112 Aberdeen Avenue, Hamilton. The interest rate will be six percent, amortized over 10 years; and,

(b) That a Designated Property Grant in the amount of two thousand, three hundred and thirty-eight dollars (\$2,338.) be provided to Keltie Law, 112 Aberdeen Avenue, Hamilton.
2. (a) That a repayable loan under the Community Heritage Trust Fund in the amount of four hundred and twelve dollars (\$412.) be approved for Betty Jean Carlyle, 219 Ferguson Avenue South, Hamilton. The interest rate will be six percent, amortized over 10 years; and,

(b) That a Designated Property Grant in the amount of four hundred and twelve dollars (\$412.) be provided to Betty Jean Carlyle, 219 Ferguson Avenue South, Hamilton.
3. (a) That a repayable loan under the Community Heritage Trust Fund in the amount of three hundred and fifty dollars (\$350.) be approved for Ilze Dreimanus, 221 Ferguson Avenue South, Hamilton. The interest rate will be six percent, amortized over 10 years; and,

(b) That a Designated Property Grant in the amount of three hundred and fifty dollars (\$350.) be provided to Ilze Dreimanus, 221 Ferguson Avenue South, Hamilton.

4. (a) That a repayable loan under the Community Heritage Trust Fund in the amount of three hundred and thirty-seven dollars (\$337.) be approved for Ms. P. L. Preston, 223 Ferguson Avenue South, Hamilton. The interest rate will be six percent, amortized over 10 years; and,
 - (b) That a Designated Property Grant in the amount of three hundred and thirty-seven dollars (\$337.) be provided to Ms. P. L. Preston, 223 Ferguson Avenue South, Hamilton.
5. (a) That a repayable loan under the Community Heritage Trust Fund in the amount of three hundred and thirty-seven dollars (\$337.) be approved for Mr. Hugh Caughey, 225 Ferguson Avenue South, Hamilton. The interest rate will be six percent, amortized over 10 years; and,
 - (b) That a Designated Property Grant in the amount of three hundred and thirty-seven dollars (\$337.) be provided to Mr. Hugh Caughey, 225 Ferguson Avenue South, Hamilton.
6. (a) That a repayable loan under the Community Heritage Trust Fund in the amount of three hundred and fifty dollars (\$350.) be approved for Elaine Elson, 227 Ferguson Avenue South, Hamilton. The interest rate will be six percent, amortized over 10 years; and,
 - (b) That a Designated Property Grant in the amount of three hundred and fifty dollars (\$350.) be provided to Elaine Elson, 227 Ferguson Avenue South, Hamilton.
7. That a Designated Property Grant in the amount of seven hundred and thirty-three dollars(\$733.) be provided to Alan Stacy, 33 Undermount Avenue, Hamilton.
8. That the Building Commissioner be authorized to issue a demolition permit for the following properties:
 - (a) 185 Nash Road South
 - (b) 644 Eaglewood Drive
 - (c) 1188 Rymal Road East
 - (d) 99 Dundurn Street North

- 9.(a) That By-law Number 86-74, amended by By-law Number 87-147 appointing the Jamesville B.I.A. Board of Management be amended to delete the following names:

D. Robbins	Robbinex Capital Corporation
S. Leon	Irving's Famous Clothes Limited
P. Viana	Acadia Travel Services Inc.
L. Bornstein	Gordon & Son Furs Ltd.
M. Giammichele	Mario Custom Tailor
M. Morgenstern	Nandor-Morgenstern Enterprises Ltd.
H. Organ	Kohler's Rexall Drug Store
G. Ricca	Ricca's Furniture Ltd.
J. Sherman	Jerry's Man's Shop
K. Sherman	Anshel's
B. Miller	Miller's Shoe Store

and add the following:

P. Jovanovich	Copper John's Tavern
U. Wood	Bank of Montreal
G. Ricca	Ricca's Furniture
D. Lengyell	Biway

- (b) That the City Solicitor be authorized and directed to amend By-law Number 86-74, amended by By-law No. 87-147 pursuant to (a) above.
10. That approval be given to Rental Housing Protection Act Application SE-91-001, Barry Szajman, owner, for severing one property with five rental units into two properties containing 3 and 2 rental units at 15, 17 and 19 Strachan Street East; and, 337 and 339 Hughson Street North on the grounds that it does not adversely affect the supply of affordable rental housing in the Municipality and therefore, meets the conditions for approval under the Rental Housing Protection Act.
- 11.(a) That the comments contained in the report reviewing proposed Amendment Number 53 to the Hamilton-Wentworth Official Plan, attached herewith and marked Appendix "A", be endorsed; and,
- (b) That Regional Council be so advised of City Council's endorsement.

12. That Item 14 of the Fourth Report of the Planning and Development Committee as approved by City Council on 1990 February 13, be amended, as follows:
- (a) That approval be granted to allow the transfer of title in the City's deed 9495 from Samuel, Peter and Morris Mercanti, Moore & Davis Enterprises Inc. and Arthur Glenn Bryant each as to a 20% undivided interest, as tenants in common to "Carmen's Square Limited".
 - (b) That the Purchasers' solicitor must prepare all necessary agreements and deed subject to the approval of the City Solicitor.
 - (c) That any costs incurred by the City in this regard will be borne by the Purchaser.
- 13.(a) That the Community Renewal Section of the Public Works Department proceed with the development of a third annual "Keep Hamilton Clean Public Service Announcement Competition" at a total estimated cost of three thousand dollars (\$3,000.) in co-ordination with the Broadcasting Department at Mohawk College, C.H.C.H. - T.V., the Keep Hamilton Clean Committee and the Downtown Action Plan Co-ordinating Committee (D.A.P.C.O.M.) to promote the objectives of Phase IV of the Downtown Action Plan, Sanitation Study.
- (b) That this expenditure be financed from Account Number CF 5698 42880 3006, Phase IV of the Downtown Action Plan, to which sufficient funds are available.
- 14.(a) That the Community Renewal Section of the Public Work Department be authorized to hold a public meeting to receive public input and establish a Citizen Advisory Committee for the purpose of implementing the Ministry of Municipal Affairs' P.R.I.D.E. Housing Intensification Programme in the Central/Beasley Neighbourhood; and,
- (b) That the Mayor and City Clerk be authorized to sign the necessary Provincial/Municipal Agreement required to implement the Central/Beasley P.R.I.D.E. H.INT. Programme.

15. That approval be given to Zoning Application 91-01, Gino Filice, in trust, owner, for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, to permit development of the subject lands for single-family dwellings, for property located at 987 Upper Paradise Road, as shown on the attached map marked as Appendix "B", on the following basis:
- (a) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
 - (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps W-27D and W-27E for presentation to City Council; and,
 - (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
16. That approval be given to amended Zoning Application 90-88, 775751 Ontario Inc. (John Paisley), prospective owner, requesting a change in zoning from "AA" (Agricultural) District to "HH" - 'H' (Restricted Community Shopping and Commercial - Holding) District for Block "1" and from "C" (Urban Protected Residential, etc.) District to "HH" - 'H' (Restricted Community Shopping and Commercial - Holding) District for Block "2" to permit development of Blocks "1" and "2" for a commercial plaza with the adjoining lands to the south and east, for property located at 1425 and 1429 Upper James Street, as shown on the attached map marked as Appendix "C", on the following basis:
- (a) That the amending By-law apply the holding provisions of Section 35(1) of The Planning Act, R.S.O. to Blocks "1" and "2", by introducing the holding symbol 'H' as a suffix to the proposed Zoning District which will prohibit the development of Blocks "1" and "2" until a site plan is approved incorporating these lands with the lands to the south and east.
- Removal of the holding restriction shall be conditional upon the approval of a site plan incorporating Blocks "1" and "2" with the adjoining lands to the south and east.
- (b) That Block "1" be rezoned from "AA" (Agricultural) District to "HH" - 'H' (Restricted Community Shopping and Commercial - Holding) District;

- (c) That Block "2" be rezoned from "C" (Urban Protected Residential, etc.) District to "HH" - 'H' (Restricted Community Shopping and Commercial - Holding) District;
- (d) That the "HH" (Restricted Community Shopping and Commercial) District regulations, as contained in Section 14A of By-law No. 6593, applicable to Blocks "1" and "2", be modified to include the following variances as special provisions:
 - (i) That notwithstanding Section 14A(3)(a) of By-law No. 6593, a front yard of not less than 24.0 m shall be provided and maintained;
 - (ii) That a landscaped area of not less than 3.0 m in width, excluding vehicular access, shall be provided and maintained adjacent to the Upper James Street road allowance;
- (e) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1242, and the subject lands on Zoning District Maps E-9C and E-9D be notated S-1242;
- (f) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-9C and E-9D for presentation to City Council; and,
- (g) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.

17. That approval be given to Zoning Application 91-32, Mary O. Velenosi, owner, for a change in zoning from "B" (Suburban Agricultural and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District for Block "1", and for a modification to the "B" (Suburban Agricultural and Residential, etc.) District regulations for Block "2", to permit the creation of one single-family dwelling lot, for property located at 82 Christie Street, shown as Blocks "1" and "2" on the attached map marked as Appendix "D", on the following basis:

- (a) That Block "1" be rezoned from "B" (Suburban Agricultural and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District;
- (b) That the "B" (Suburban Agricultural and Residential, etc.) District regulations, as contained in Section 8 of Zoning By-law No. 6593, applicable to Block "2", be modified to include the following variances as special provisions:

- (i) That notwithstanding Section 8(3)(i), a front yard depth of at least 9.5m (31.17 feet) shall be provided and maintained on Christie Street; and,
 - (ii) That notwithstanding Section 8(4), a lot area of at least 1,055 square metres (11,356.3 square feet) shall be required.
- (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1243, and that Block "2" on Zoning District Map W-9E be notated S-1243;
 - (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-9E for presentation to City Council; and,
 - (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- 18.(A) That approval be given to amended Zoning Application 90-96, Rymal Square Developments, Inc., owner, for a change in zoning from "C" (Urban Protected Residential, etc.) District to "RT-20" (Townhouse-Maisonette) District modified, for property located on the north side of Rymal Road East and east of the Hydro Right-of-Way, as shown on the attached map marked as Appendix "E", on the following basis:
- (a) That the subject lands be rezoned from "C" (Urban Protected Residential, etc.) District to "RT-20" (Townhouse-Maisonette) District;
 - (b) That the "RT-20" (Townhouse-Maisonette) District provisions as contained in Section 10E of Zoning By-law No. 6593, applicable to the subject lands be modified to include the following variances as special provisions:
 - (i) That a minimum 1.2 m to 2.0 m high visual barrier shall be provided and maintained along the entire northerly lot line;
 - (ii) That a minimum 3.0 m wide landscaped planting strip and a minimum 1.2 m to 2.0 m high visual barrier shall be provided and maintained along the southerly and westerly side lot lines of the subject lands which adjoin the residential property municipally known as No. 557 Rymal Road East.
 - (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1240, and the subject lands on Zoning District Maps E-27D and E-27E be notated S-1240;

- (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-27D and E-27E for presentation to City Council;
 - (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area; and,
 - (f) That the approved Butler Neighbourhood Plan be amended on the following basis:
 - (i) That the subject lands be redesignated from "Single and Double Residential" to "Attached Housing";
 - (ii) That the proposed road alignment, as indicated on Appendix "F", be deleted;
 - (iii) That the sixty-six foot wide walkway, as indicated on Appendix "F", across the Ontario Hydro Right-of-Way, be added to the Neighbourhood Plan;
 - (B) That the applicant submit an application to the Region for approval of a revision to the draft approved plan of subdivision (Rymal Square Estates 25T-89022) to bring the present draft approved subdivision plan into conformity with the recommended zoning.
 - (C) That the amending By-law not be forwarded for passage by City Council until the applicant has entered into an agreement with the City, to the satisfaction of the City Solicitor, for the contribution of the sum of \$10,000.00 to be made to the City for landscaping of City lands adjoining the northerly lot line of the applicant's lands.
- 19.(A) That approval be given to Official Plan Amendment No. 102 to establish a Special Policy Area to permit limited commercial uses within the existing buildings, for properties located at 122-126 MacNab Street South and 109, 111, and 123 Charles Street and that the City Solicitor be directed to prepare a by-law of adoption for submission to the Regional Municipality of Hamilton-Wentworth.
- (B) That approval be given to City Initiative 91-B for a modification to the established "E-3" (High Density Multiple Dwellings) District regulations, to permit limited commercial uses within the existing buildings, for properties located at 122-126 MacNab Street South and 109, 111, and 123 Charles Street, as shown on the attached map marked as Appendix "G", on the following basis:

- (a) That By-law No. 87-29 be repealed in its entirety.
- (b) That the "E-3" (High Density Multiple Dwellings) District regulations, as contained in Section 11C of By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special provisions:
 - (i) That notwithstanding Section 11C(1) of By-law No. 6593, the following commercial uses shall be permitted only within the buildings existing on the date of the passing of the By-law:
 - (1.) professional and medical offices;
 - (2.) art gallery;
 - (3.) book store;
 - (4.) opticians' offices;
 - (5.) optometrists' establishments; and,
 - (6.) photographer's or artist's studio.
 - (ii) That notwithstanding Section 11C(1) of By-law No. 6593, the following accessory use to the commercial uses referred to in subclause (i), shall be permitted:

One business identification sign that is a ground sign, wall sign or projecting sign that complies with all of the following requirements;

 - (a) The area of the sign shall not exceed 0.4 m²;
 - (b) The sign shall be non-illuminated or illuminated by non-flashing, indirect, or interior means only;
 - (c) No sign shall be situated less than 1.5 m from the nearest street line;
 - (iii) That notwithstanding Section 18A, no required parking and no non-required parking shall be permitted in the front yard;
 - (iv) That the outside display of goods or wares shall be prohibited for commercial uses within the District.
- (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1239, and that the subject lands on Zoning District Map W-5 be notated S-1239;

- (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-5 for presentation to City Council;
- (e) That the proposed modification in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon the approval of Official Plan Amendment No. 102 by the Regional Municipality of Hamilton-Wentworth; and,
- (f) That the approved Durand Neighbourhood Plan be amended by redesignating the subject lands from "Low Density Apartments" to "Commercial and Apartments - Heritage Conservation District".

20.(A) That approval be given to Official Plan Amendment No. 101 to redesignate property located at 674 Upper James Street from "Residential" to "Commercial" and to establish a "Special Policy Area" to permit only an orthopedic supply store within the existing building, and the City Solicitor be directed to prepare a by-law of adoption for submission to the Regional Municipality of Hamilton-Wentworth.

(B) That approval be given to Zoning Application 91-24, Bakado Enterprises, owner, for a change in zoning from "C" (Urban Protected Residential, etc.) District to "H" (Community Shopping and Commercial, etc.) District, modified, for property located at 674 Upper James Street, as shown on the attached map marked as Appendix "H", on the following basis:

- (a) That the subject lands be rezoned from "C" (Urban Protected Residential, etc.) District to "H" (Community Shopping and Commercial, etc.) District;
- (b) That the "H" (Community Shopping and Commercial, etc.) District regulations as contained in Section 14 of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements;
 - (i) Notwithstanding Section 14(1) of By-law No. 6593, only the following uses shall be permitted only within the building existing at the date of passing of this by-law.:

(1.) Residential Uses:

- (a) Single-family dwelling;
- (b) One dwelling unit in the same building with a permitted commercial use.

(2.) Commercial Use:

- (a) Orthopedic supply store.

(3.) Accessory Use:

- (a) A wall, ground or projecting sign that complies with the following requirements:
- (i) no sign shall exceed 1.2 metres in vertical dimension or 2.2 metres in area; and,
 - (ii) no sign shall be illuminated unless the source of light is steady and suitably shielded to contain the illumination.
- (ii) No extensions or enlargements of the building existing at the date of the passing of the By-law shall be permitted;
- (iii) Notwithstanding Section 18A(1) of By-law No. 6593, the following parking requirements shall be provided and maintained:
- (1.) one space for each dwelling unit;
 - (2.) one space for every 31 m² of floor area for all other permitted uses;
- (iv) A landscaped strip not less than 1.5 m in width shall be provided and maintained along the entire westerly lot line where the building has been converted to a commercial use;
- (v) A visual barrier not less than 1.2 m and not more than 2.0 m in height shall be provided and maintained along the entire westerly lot line where the building has been converted to a commercial use;
- (vi) All lighting facilities at the rear of the property shall be so installed and maintained as to ensure that the light is deflected away from all adjacent residential uses;
- (vii) In the event that the existing building is destroyed or demolished, it may be replaced only by a building having the same external dimensions as the building which it replaces and the replacement building shall not have more than two storeys plus a basement.

- (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1241, and the subject lands on Zoning District Map W-8 be notated S-1241;
 - (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-8 for presentation to City Council;
 - (e) That the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon the approval of Official Plan Amendment No. 101 by the Regional Municipality of Hamilton-Wentworth;
- (C) That Schedule "A" to By-law No. 79-275, as amended by By-law No. 87-223, respecting Site Plan Control, be further amended by adding the subject lands.
 - (D) That the amending By-law not be forwarded for passage by City Council until such time as the applicant has applied for and received approval of a site plan.
- 21.(a) That approval be given to Official Plan Amendment No. 100 to implement the Allison Neighbourhood Plan by redesignating lands located south of Rymal Road East, east of Upper James Street, from "Residential" to "Open Space" on Schedule "A" - Land Use Concept and by deleting Upper Wellington Street, (from Rymal Road to the City limits) from Schedule "F" - Major Roads, and that the City Solicitor be directed to prepare a by-law of adoption for submission to the Regional Municipality of Hamilton-Wentworth.
- (b) That the proposed plan and policies for the Allison Neighbourhood, attached hereto and marked Appendix "I", be adopted by Council.
22. That Zoning Application 91-26, Rymal Square, owner, requesting an Official Plan Amendment to delete Special Policy Area 46 and a further modification to the established "G-4" (Designed Neighbourhood Shopping Area) District regulations, to permit a submarine shop having a gross floor area of 120.8 m² (1,300 sq.ft.) and a donut shop having a gross floor area of 278.7 m² (3,000 sq.ft.) within the existing plaza, located at 30 Rymal Road East, as shown on the attached map marked as Appendix "J", be denied for the following reasons:
- (a) That it conflicts with the intent of both the Official Plan and the proposed Allison Neighbourhood Plan which prohibit high traffic generating type uses (i.e. restaurants, place of assembly, etc.);

- (b) That it conflicts with established policy of the Planning and Development Committee and City Council not to support high traffic generating type uses on this site, and the applicant has not submitted any additional or new information to justify changes to the established policy; and,
 - (c) That approval of the application would encourage other similar applications which, if approved, would undermine the intent of the Official Plan and Zoning By-law.
23. That leave be granted to introduce the following Bills:
- (a) Bill C-59 A By-law to amend Zoning By-law No. 6593 respecting lands located on the east side of Upper Ottawa Street, in the area south of Stone Church Road East.
 - (b) Bill C-60 A By-law to amend Zoning By-law No. 6593 as amended by By-law No. 89-69 respecting lands located at Municipal Numbers 1405, 1411 and 1417 Upper James Street.
 - (c) Bill C-61 A By-law to expropriate lands for Park and Municipal purposes.
 - (d) Bill C-62 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 90 Lansing Drive.

Respectfully submitted,

ALDERMAN F. LOMBARDO, CHAIRMAN
PLANNING AND DEVELOPMENT COMMITTEE

Charlene J. Coutts
Secretary
1991 August 21

APPENDIX A

COMMENTS ON THE POLICIES OF PROPOSED AMENDMENT NO. 53 TO THE OFFICIAL PLAN OF THE REGION OF HAMILTON-WENTWORTH

Appendix "A" as referred
to in Section 11(a) of the
TWELFTH Report for 1991
of the Planning and
Development Committee

Generally, the proposed policies of Official Plan Amendment No. 53 can be supported as they implement the intent of the Regional Housing Statement Update (previously supported by City Council) and the Provincial Policy Statement on Land Use Planning for Housing. The proposed Amendment will encourage the Area Municipalities to provide for affordable housing within their communities. Hamilton has traditionally been the major provider of a variety of housing types and tenures, meeting much of the Regional housing demands for Hamilton-Wentworth.

Accordingly, Policies 8.1, 8.3, 8.5, 8.9, 8.10, 8.11, 14.5.1 and 14.5.2 can be supported without further discussion. However, the following policies are worthy of clarification and comment.

Proposed Policy

- 8.2 *b) Every Area Municipality shall prepare housing targets in accordance with the housing targets as established in the most recently adopted Regional Housing Statement. These targets shall be implemented through Official Plan Policies and the designation of a supply of land where appropriate to achieve the housing targets and shall be subject to endorsement by Regional Council.*

Comment

The City has established housing targets in its own Housing Statement Updates that have been prepared in previous years. The preparation of annual housing targets ensure an active monitoring of housing market conditions and provide a quantitative measure in which to assess housing activity, as well as outline any significant gaps in the delivery of specific housing types.

However, it should be recognized that these targets are only guidelines which are dependent on private market activities to be achieved. The Area Municipalities can only help create the opportunity for targets to be met through Official Plan policies, but cannot be responsible for achieving the production targets.

Proposed Policy

- 8.4 *The Planning and Development Department shall review, in consultation with the development industry and other relevant groups, every two years the planning approval procedures for the purpose of:*
- a) establishing and monitoring targets for the time required for plans to receive draft and final approval;*
 - b) identifying means to increase the efficiency of the process; and*
 - c) monitoring the following time guidelines for approvals affecting residential development;*

- i) *plans of subdivision and condominium: six months from date of submission to draft approval; and,*
- ii) *undisputed local official plan amendments: three months from receipt to Council approval.*

Comment

While this policy can be supported, it is suggested that the review also be in consultation with the Area Municipalities.

Proposed Policy

- 8.6 a) *Twenty-five percent of all new housing built in each Area Municipality on land designated "Existing Development" and "Residential and Related Uses" on Map No. 1 of this Plan shall meet the definition of affordable housing. New housing shall include both rental and ownership, provided by both the non-profit and private sectors.*

Comment

As the Area Municipalities are required to implement the 25 percent requirement by both the above policy and the Provincial Policy Statement, some flexibility should be given to the municipalities to determine how this will be implemented. For example, it may be more appropriate to designate lands for higher density housing on a neighbourhood or planning unit basis, rather than on a project-by-project basis. The City is currently completing its Housing Statement Update which will determine how the 25 percent requirement will be implemented. This policy should recognize the need for flexibility for implementation by the area local municipalities.

It should be noted that under current legislation, municipalities do not have the legal authority to designate housing uses on the basis of tenure or housing cost. Therefore, municipalities can only designate lands for housing types which may be developed for affordable housing. Without legislative changes, municipalities cannot designate tenure or cost of housing in their planning documents. This should also be recognized in policy 8.6 a).

Proposed Policy

- 8.7 a) *The conversion of rental housing shall be approved only when the vacancy rate for the municipality in which the units to be converted are located exceeds 2 percent (as reported by the Canada Mortgage and Housing Corporation (CMHC) bi-annual apartment survey) for two successive surveys.*

- b) *Every area municipality, in reviewing the criteria established by the Rental Housing Protection Act, Ch. 31, S.O., shall have regard first for Criterion 2 (requiring the replacement of rental housing removed from the stock with similarly sized and priced units as established in O.Reg. 586/89, Section 7(1). Further, in no case shall any Area Municipality grant approval for conversion of rental housing under the Rental Housing Protection Act, Ch. 31, S.O., without the implementation of Criterion 2 unless:*
- i) *the implementation of Criterion 2 is not feasible for the structure; or,*
 - ii) *the implementation of Criterion 2 is an unreasonable hardship on the applicant.*

Comment

Vacancy rates within the City of Hamilton vary from neighbourhood to neighbourhood. Canada Mortgage and Housing Corporation has divided Hamilton into six specific zones for the semi-annual Rental Apartment Vacancy Survey. As of April, 1991, 3 zones in Hamilton recorded vacancy rates of over 2.0 percent. As vacancy rates increase, the conversion of rental housing to other forms can result in community improvements such as redevelopment and rehabilitation and provide for other housing needs (e.g., condominiums). All of these housing forms can benefit particular areas of the City. Therefore, it is suggested that the words "the vacancy rate for the municipality" in section a) be replaced with "the vacancy rate for the CMHC zone or the municipality".

In addition, the Region may wish to include a provision that no conversions will be permitted which would lower the vacancy rate below 2.0 percent, as previously required in the Regional Official Plan.

It should be noted that Criterion 2 of the Rental Housing Protection Act allows approval of applications if the rental units are replaced in the same geographic area, as well as structure. Therefore, it is suggested that the words "for the structure" be removed from policy 8.7 b) i).

As stated previously, once the vacancy rates rise above 2.0 percent, conversions of rental housing can achieve other benefits to an area, and not adversely impact the overall supply of rental housing. As such, when the vacancy rate exceeds 2.0 percent, conversions should be permitted without the need to apply Criteria 2. Therefore, it is suggested the following be added to Policy 8.7 b):

"iii) the vacancy rate exceeds 2.0%."

Criteria 3 of the Act allows Council the ability to approve an application if the proposal does not adversely affect the supply of affordable housing. As the circumstances of proposals vary, each application should be evaluated on its own merits to determine if an adverse impact on the current supply would result. However, criteria should be established by each municipality to assist in the evaluation of proposals and ensure consistency. As such, Area Municipalities will maintain their authority to approve applications under the Act. Therefore, it is suggested that the following be added to policy 8.7 b).

- "iv) the proposal, in the opinion of the Area Municipality, does not adversely affect the supply of affordable rental housing in the municipality based on criteria to be established by the Area Municipality."

Proposed Policy

8.8 *Housing opportunities in the Region must recognize the diversity of housing needs among the citizens of Hamilton-Wentworth. Council is committed to providing a continuum of housing opportunities, suitable to a range of housing needs, for its citizens.*

- a) *A continuum of housing opportunities - including, but not limited to: rooming and boarding houses, group homes, plexes, supportive living developments, converted dwellings, homesharing, special needs housing, and affordable rental and owner occupied dwellings - shall be provided in every Area Municipality in the Region. Every Area Municipality shall develop a strategy to provide a continuum of housing opportunities to include:*
 - i) *Official Plan policies to permit the above continuum of housing opportunities in areas permitting residential uses.*
 - ii) *Official Plan policies to permit residential intensification in areas permitting residential uses, subject to the following criteria established in the Policy Statement on Land Use Planning for Housing:*
 - 1. *the physical potential of the existing building stock or previously developed sites can accommodate the identified forms of residential intensification;*
 - 2. *the existing services can support new households in the affected area; and,*
 - 3. *the potential demand for the types of accommodation which could be produced through various forms of residential intensification can be demonstrated based on the housing needs of households in the municipality.*
 - iii) *Zoning By-law standards to permit converted dwellings, group homes, and rooming and boarding homes as-of-right in areas permitting residential uses (as identified in the Area Municipality's Official Plan).*
 - iv) *Official Plan policies defining the criteria to be used evaluating the adaptive re-use and conversion of existing structures in areas designated for uses other than residential. The criteria shall include environmental, social, land use conflicts, and quality of life standards.*

- b) *Every such strategy shall be submitted for endorsement by Regional Council, by August 1, 1992. Amendments to the relevant Official Plan to implement policy 8.8 a) shall be adopted for consideration and approval by Regional Council by January 1, 1993.*

Comment

The City has already adopted a Housing Intensification Strategy, which creates opportunities for housing intensification while addressing local community concerns. All other municipalities in the Region should also be encouraged to provide for their share of the demand for this form of housing. Therefore, this proposed policy can be supported.

However, Area Municipalities should be permitted to develop standards to ensure these forms of housing are suitable and compatible with surrounding development. For example, the City's Intensification Strategy calls for all units in a converted dwelling to be a minimum of 65 m² (700 ft.²). It is suggested that the need for local flexibility to establish standards for these forms of housing be recognized in Policy 8.8.

APPENDIX B
PROPOSED AMENDMENT NO.53
TO
THE REGION OF HAMILTON-WENTWORTH
OFFICIAL PLAN
HAMILTON-WENTWORTH PLANNING AREA

PROPOSED AMENDMENT NO. 53
TO
THE REGION OF HAMILTON-WENTWORTH
OFFICIAL PLAN
HAMILTON-WENTWORTH PLANNING AREA

July, 1991

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ADOPTING BY-LAW OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

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PART I

BY-LAW NO.

The Council of the Regional Municipality of Hamilton-Wentworth in accordance with the provisions of Sections 17 and 21 of The Planning Act, S.O. 1983, Ch.1, hereby enacts as follows:

- READ a first, second, and third time and finally passed and enacted

this day of , 1990.

Clerk

PART I THE CERTIFICATION

AMENDMENT No. 53

TO THE REGION OF HAMILTON-WENTWORTH OFFICIAL PLAN

THE HAMILTON-WENTWORTH PLANNING AREA

Amendment No. 53 to the Region of Hamilton-Wentworth Official Plan, Hamilton-Wentworth Planning Area, constituting the explanatory text was prepared by the Planning and Development Department of the Regional Municipality of Hamilton-Wentworth and adopted by Regional Council by By-law No.R91- in accordance with Section 17 of The Planning Act, 1983, R.S.O. 1989, Ch.1, on the _____ day of _____ 1991.

Chairman

Clerk

PART II

PART II - THE PREAMBLE

1. TITLE

2. COMPONENTS OF THIS AMENDMENT

Only that part of this document entitled "PART III - The Amendment", comprising the attached text, constitutes Amendment No. 53 to the Region of Hamilton-Wentworth Planning Area.

3. PURPOSE OF THE AMENDMENT

Amendment No. 53 is intended to replace the existing policies in Section 8 - Housing of the Official Plan with new policies to implement the Province of Ontario's Policy Statement on Land Use Planning for Housing, to establish new policies as defined in the Regional Housing Statement Update, 1990, and, where consistent with the above two documents, the recommendations of the Hamilton-Wentworth Regional Chairman's Task Force on Affordable Housing. Amendment No. 53 also amends the servicing strategy of Section 14.5 of the Official Plan.

4. LOCATION OF THE AMENDMENT

Amendment No. 53 is a text amendment and is applicable to all lands in the Regional Municipality of Hamilton-Wentworth.

5. BASIS OF THE AMENDMENT

Amendment No. 53 implements the Provincial Policy Statement on Land Use Planning for Housing and up-dates the housing policies of Section 8 of the Plan.

PART III

PART III THE AMENDMENT

1. INTRODUCTION

The whole of this part of the document entitled "PART III - The Amendment", which consists of the following text, constitutes Amendment No. 53 to the Region of Hamilton-Wentworth Official Plan, Hamilton-Wentworth Planning Area.

2. DETAILS OF THE AMENDMENT

Section 8 - Housing, is hereby deleted and replaced with the following.

8.0 Housing

This section of the Plan contains provisions for achieving an adequate supply of housing accommodation in the Region while recognizing that the provision of such housing consists of many factors such as, but not limited to, land supply, planning, the economy, interests rates, and involves many participants including the development and construction industries, all levels of government, finance companies, and public and non-profit development companies.

Objectives

- *To enable every resident of Hamilton-Wentworth to have the opportunity to live in adequate and affordable housing.*
- *To ensure that a supply of adequate and affordable housing is available to meet the needs and demands of the present and future residents of Hamilton-Wentworth.*

Maintaining the Existing Housing Stock

Basis: Maintenance of the housing stock within existing neighbourhoods provides opportunities for implementation of other sections of this Plan; namely, increasing affordable housing opportunities and residential intensification. Further, a commitment to improving existing neighbourhoods and communities will strengthen community development.

Policy: 8.1 *Council encourages every Area Municipality to adopt and implement community improvement plans and maintenance and occupancy standards By-laws and to take advantage of federal and provincial programs designed to upgrade and improve established areas and particularly the housing stock.*

Housing Targets

Basis: Housing targets are a statement of desire that are used to guide medium and long range planning in the Region. Targets are projections of the future and are often revised in response to changing conditions in the housing market, the economy and demographic make-up of the population. The Regional Housing Statement shall be used to review housing trends, the housing market, and housing supply, housing demand, and shall establish new housing targets, policies and programs. The Regional Housing Statement, as adopted by Regional Council, shall be the main housing policy document of the Region and shall be used to review existing Regional Official Plan policies and formulate new policy directives for inclusion in the Regional Official Plan.

The development of Regional policies has implications for Area Municipalities because they are involved in the achievement of targets and other housing objectives. Every Area Municipality is required to prepare a Housing Statement and it is appropriate that their targets, policies, and programs correspond with those of the Region.

- Policy:** 8.2 a) *A Regional Housing Statement shall be prepared in consultation with the Area Municipalities, the development industry, other relevant agencies and the community, every five years or, in the case of significant changes in the housing market since the most recent update, less than five years. The Regional Housing Statement shall be updated for the purposes of:*
- i) *establishing annual housing targets for the total number of new housing units by type and tenure;*
 - ii) *establishing annual housing targets for the number and type of government assisted housing units for those people of Hamilton-Wentworth whose housing needs are not expected to be met by the private sector; and*
 - iii) *evaluating the success of policies and programs designed to ensure the established housing targets are met and make suggested revisions.*
- b) *Every Area Municipality shall prepare housing targets in accordance with the housing targets as established in the most recently adopted Regional Housing Statement. These targets shall be implemented through Official Plan policies and the designation of a supply of land where appropriate to achieve the housing targets and shall be subject to endorsement by*

- c) *To assist Area Municipalities in the preparation of annual housing targets, as contained in Policy 8.2a), when requested.*

Land Supply

Basis: The Region is responsible for ensuring that an adequate supply of land is available to accommodate new residential development. The Region provides for residential development by designating land for urban development; by providing services such as water, sewer, roadways and transit; and by providing development approvals. Through an annual review of the residential land supply, development trends and current designations, the Region will be able to ensure a suitable supply of land is available for future development.

The Provincial Policy Statement "Land Use Planning for Housing" requires that municipalities ensure a ten year supply of land and a three year supply of lots in draft approved and registered plans of subdivision and condominium are available at all times. A monitoring system has been developed to determine whether an adequate supply of land is available to meet these objectives.

Current land designations and development trends indicate the Region has an adequate supply of land (15 to 20 years) to meet the objectives. Annual monitoring will ensure these objectives are maintained.

- Policy:** 8.3 a) *The Planning and Development Department shall review annually the supply of vacant land designated for future residential development to ensure:*
- i) *the objective of maintaining at least a three year supply of lots in draft approved and registered plans of subdivision;*
 - ii) *the objective of maintaining at least a ten year supply of land designated for future residential development;*
 - iii) *the objective of achieving the housing targets established in the Regional Housing Statement; and*
 - iv) *that appropriate land designations are considered as identified through the annual review.*
- b) *Every Area Municipality shall designate in accordance with Policy 8.3a) a suitable supply of residential land for future development.*

Planning Approvals Process

Basis: Delay in the planning approvals process is often cited as the major cause for the high cost of housing. Both an internal review and a review prepared for the Hamilton-Wentworth Regional Chairman's Task Force on Affordable Housing revealed that the planning approval process operates relatively satisfactorily and probably is not a major contributor to increasing housing costs in Hamilton-Wentworth.

In order to maintain the already high level of service, it is necessary that the process be reviewed periodically and that planning staff continue to identify ways for improving and streamlining the process. By keeping a quick and efficient planning approvals process the land carrying costs associated with housing construction is kept to a minimum.

The Provincial Policy Statement "Land Use Planning for Housing" requires municipalities to adopt goals for moving proposals through the approvals process. The goals stated below are already being achieved.

- Policy:** 8.4 *The Planning and Development Department shall review, in consultation with the development industry and other relevant groups, every two years the planning approval procedures for the purpose of:*
- a) establishing and monitoring targets for the time required for plans to receive draft and final approval;*
 - b) identifying means to increase the efficiency of the process; and*
 - c) monitoring the following time guidelines for approvals affecting residential development:*
 - i) plans of subdivision and condominium: six months from date of submission to draft approval; and*
 - ii) undisputed local official plan amendments: three months from receipt to Council approval.*

Sustainable Development

Basis: The Hamilton-Wentworth Regional Chairman's Task Force on Sustainable Development may eventually lead to further revisions in housing policies. Until that time the current policy 8.9 should remain in the Official Plan and is renumbered 8.5.

- Policy:** 8.5 *Regional Council is concerned about the possibility of future shortages in the supply of conventional fuels, namely oil and gas, and therefore Council shall:*
- a) support and encourage Area Municipalities to adopt residential densities and designs in the urban areas which are conducive to the operation of public transit;*
 - b) promote innovation in housing design to facilitate the construction of energy efficient housing; and*
 - c) encourage and promote the utilization of solar energy for space heating, where feasible.*

Affordable Housing

Basis: The Provincial Policy Statement on Land Use Planning for Housing requires municipalities to facilitate the provision of increased affordable housing through Official Plan policies and is supported in the recommendations of the Regional Housing Statement Update, 1990. The Region is committed to creating opportunities for increased affordable housing in Hamilton-Wentworth. Accordingly, the Region's Official Plan shall reflect this commitment in areas designated "Existing Development" and "Residential and Related Uses" and, subject to servicing availability, in areas designated "Rural Settlements". A definition of affordable housing, suitable for Hamilton-Wentworth, shall be developed in conjunction with Area Municipalities. In the interim, the definition of affordable housing, as annually established by the Provincial Ministry of Housing, shall be used.

- Policy:** 8.6
- a) Twenty-five percent of all new housing built in each Area Municipality on land designated "Existing Development" and "Residential and Related Uses" on Map No. 1 of this Plan shall meet the definition of affordable housing. New housing shall include both rental and ownership, provided by both the non-profit and private sectors.*
 - b) Subject to the policies of Sections 3.3.1 and 10 of this Plan, twenty-five percent of all new housing produced in each Area Municipality for land designated "Rural Settlements" on Map No. 1 of this Plan shall meet the definition of affordable housing. New housing shall include both rental and ownership, provided by both the non-profit and private sectors.*

Protection of Rental Housing

Basis: Rental housing is one of the most affordable types of housing available. The protection of the existing rental housing stock from conversion to another tenure type or use is necessary to maintain the existing stock of rental housing and preserve new rental housing as it is developed. The Final Report of the Hamilton-Wentworth Regional Chairman's Task Force on Affordable Housing recommends fully implementing the provisions of the Rental Housing Protection Act, Ch.31, S.O., as may be amended from time to time, and requiring the implementation of Criterion 2 {requiring the replacement of rental housing removed from the stock with similarly sized and priced units as established in O.Reg. 586/89, Section 7(1)}. Regional Council has previously recognized the importance of the implementation of the Rental Housing Protection Act, Ch.31, S.O. through the adoption of Regional Official Plan Amendment No. 6, respecting the protection of rental housing in the Region.

It is recognized that applications will be made to Area Municipalities for exemption from the Rental Housing Protection Act, Ch.31, S.O. In reviewing such applications, every Area Municipality shall implement the following policies of Regional Council:

- Policy:**
- 8.7 a) *The conversion of rental housing shall be approved only when the vacancy rate for the municipality in which the units to be converted are located exceeds 2 percent {as reported by the Canada Mortgage and Housing Corporation (CMHC) bi-annual apartment survey} for two successive surveys.*
- b) *Every area municipality, in reviewing the criteria established by the Rental Housing Protection Act, Ch.31, S.O., shall have regard first for Criterion 2 {requiring the replacement of rental housing removed from the stock with similarly sized and priced units as established in O.Reg. 586/89, Section 7(1)}. Further, in no case shall any Area Municipality grant approval for conversion of rental housing under the Rental Housing Protection Act, Ch.31, S.O., without the implementation of Criterion 2 unless:*
- i) *the implementation of Criterion 2 is not feasible for the structure; or,*
- ii) *the implementation of Criterion 2 is an unreasonable hardship on the applicant.*

Residential Intensification / Innovative Housing

Basis: A broad range of housing needs exist within Hamilton-Wentworth, as identified in the Regional Housing Statement Update, 1990 and the Final Report of the Hamilton-Wentworth Regional Chairman's Task Force on Affordable Housing. Regional Council is committed to providing housing suitable to the needs of all its citizens. Significant opportunities for providing housing to meet the existing and future community needs exist within the existing housing stock. Residential intensification, including infill, adaptive re-use, redevelopment, and conversion, can upgrade the existing housing stock and better utilize the existing land designated for urban purposes.

Regional Council recognizes that the implementation of intensification policy rests with each Area Municipality; however, Regional Council is committed to fulfilling the housing needs of its citizens and recognizes the necessity of each Area Municipality developing suitable policies regarding housing intensification.

Policy: 8.8 *Housing opportunities in the Region must recognize the diversity of housing needs among the citizens of Hamilton-Wentworth. Council is committed to providing a continuum of housing opportunities, suitable to a range of housing needs, for its citizens.*

a) *A continuum of housing opportunities - including, but not limited to: rooming and boarding houses, group homes, plexes, supportive living developments, converted dwellings, homesharing, special needs housing, and affordable rental and owner occupied dwellings - shall be provided in every Area Municipality in the Region. Every Area Municipality shall develop a strategy to provide a continuum of housing opportunities to include:*

i) *Official Plan policies to permit the above continuum of housing opportunities in areas permitting residential uses.*

ii) *Official Plan policies to permit residential intensification in areas permitting residential uses, subject to the following criteria established in the Policy Statement on Land Use Planning for Housing:*

1. *the physical potential of the existing building stock or previously developed sites can accommodate the identified forms of residential intensification;*

2. *the existing services can support new households in the affected area; and,*

3. *the potential demand for the types of accommodation which could be produced through various forms of residential intensification can be demonstrated based on the housing needs of households in the municipality.*
- iii) *Zoning By-law standards to permit converted dwellings, group homes, and rooming and boarding homes as-of-right in areas permitting residential uses (as identified in the Area Municipality's Official Plan).*
- iv) *Official Plan policies defining the criteria to be used in evaluating the adaptive re-use and conversion of existing structures in areas designated for uses other than residential. The criteria shall include environmental, social, land use conflicts, and quality of life standards.*
- b) *Every such strategy shall be submitted for endorsement by Regional Council, by August 1, 1992. Amendments to the relevant Official Plan to implement policy 8.8a) shall be adopted for consideration and approval by Regional Council by January 1, 1993.*
- c) *No amendments to the Regional Official Plan to re-designate land for residential purposes shall be considered by the Region for an Area until such time as Regional Council has endorsed the strategy and approved the appropriate implementing Area Municipal Official Plan Amendment, for the municipality in question, required in Policy 8.8a).*

Assisted Housing

Basis: Assisted housing refers to all forms of rental housing aimed at low and moderate income households which contain some proportion of units below market rents and/or rent-geared-to-income. The current system of delivering assisted housing relies on municipal and private non-profit housing corporations, and cooperatives to deliver assisted housing throughout the Region. Although the efforts of these groups must be applauded, the system has not been effective in developing a fair geographic distribution of assisted housing across the Region as the supply of assisted housing is heavily concentrated in the City of Hamilton.

Assisted housing targets are not set for each Area Municipality in the Regional Housing Statement. Area Municipalities must establish their own targets

according to the indicators of need in their community. The Official Plan policies are Regional support for the concept that every Area Municipality must assist in the provision of assisted units.

The backlog of demand for assisted housing resulted is an annual target of 1,000 units for the next five years. In 1990, over 93% of the assisted housing units in the Region were located in the City of Hamilton. There is a strong need for more assisted housing and a better geographic distribution within Hamilton-Wentworth.

- Policy:** 8.9 a) *Regional Council shall report annually to the Federal and Provincial Governments the assisted housing needs of Hamilton-Wentworth and request that appropriate funding be made available to address these needs.*
- b) *Council encourages the development of non-profit housing units in all municipalities, and in particular, desires an increased share of non-profit housing starts in the urban areas outside of the City of Hamilton.*

Monitoring the Housing Stock

Basis: The factors influencing the supply of affordable housing may change and remedy, through this Plan or the Regional Housing Statement Update, may be required. In order to assess the ongoing efforts of the private and public sectors to supply adequate, suitable and affordable housing, the Region shall annually review the factors affecting the supply of housing and the implementation of the policies of this Plan.

- Policy:** 8.10 *The Planning and Development Department, in consultation with the Regional Department of Social Services, other agencies, the Area Municipalities, and community groups, shall annually monitor:*
- *the availability of land and residential lots for future development;*
 - *the variety and mix of housing in new developments;*
 - *unit prices relative to the Provincial and Regional guidelines on affordability;*
 - *the loss of stock through demolitions and conversions; and,*
 - *other relevant indicators.*

Community Participation

Basis: It is recognized that housing issues shall arise which will require policy remedy in this Plan. Regional Council is committed to soliciting input from appropriate Regional and community agencies to assist in the development of policy.

Policy: 8.11 *The Region shall solicit input from the Area Municipalities, community agencies, the development industry, business and labour organizations, and the public at large regarding the preparation of the Regional Housing Statement Update and any proposed amendments to the Regional Official Plan relating to housing matters.*

Servicing

Basis: The Provincial Policy Statement "Land Use Planning for Housing" requires all municipalities to prepare a twenty year servicing plan indicating major projects to be undertaken in the future.

Current policy (14.5) requires the development of a ten year plan for transportation and water and sewer and periodic reviews. This policy has not been implemented and the approved recommendation of the Regional Housing Statement is that this policy be implemented to satisfy the requirements of the Provincial Policy Statement. Policy 14.5, therefore, is deleted and the following substituted to reflect the requirements of the Provincial Policy Statement.

Policy:

14.5 Twenty Year Transportation Systems Plan and Water and Sewer Plan

It shall be the policy of Regional Council:

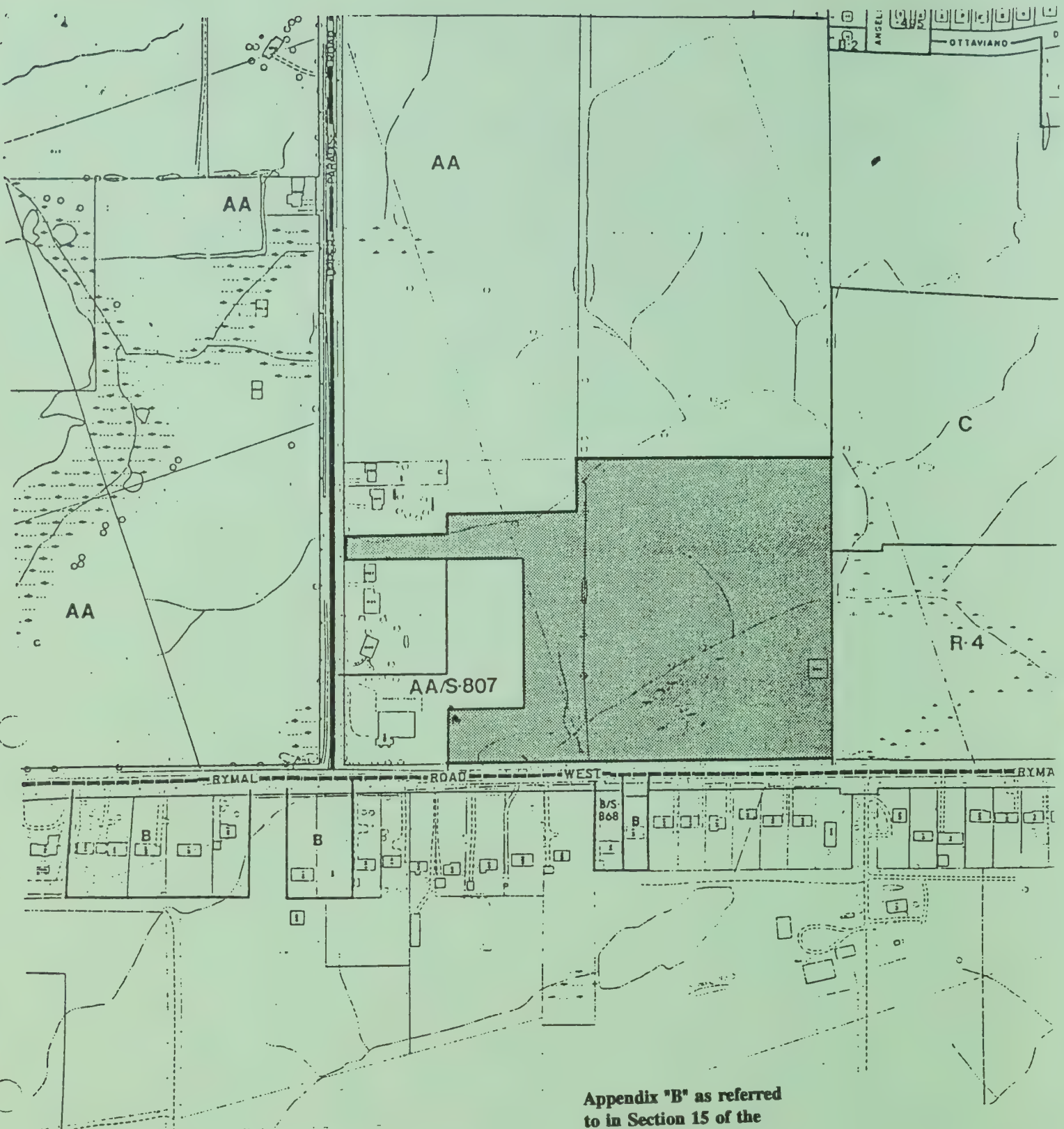
14.5.1 *The Region shall prepare:*

- a) *A twenty year transportation systems and needs plan for the Regional road system; the Regional transit systems; and shall include other transit initiatives affecting the Region including, but not limited to, Hamilton Airport, GO Transit, and provincial transportation initiatives.*
- b) *A twenty year plan for water supply and sewage treatment facilities to serve the development needs of the Region.*

These plans will identify major transportation, sewer and water projects which are required to be undertaken to achieve Regional development objectives and the timing of their implementation.

These plans will also contain a component evaluating the status of existing infrastructure and develop a strategy for increased use and repair of existing infrastructure.

14.5.2 *The twenty year plans shall provide the basis for introducing transportation and sewer-water capital facilities into the Region's five year Capital Budget program. The twenty year plans will be monitored and reviewed annually in order to make the necessary updates and revisions.*



Appendix "B" as referred
to in Section 15 of the
TWELFTH Report for 1991
of the Planning and
Development Committee

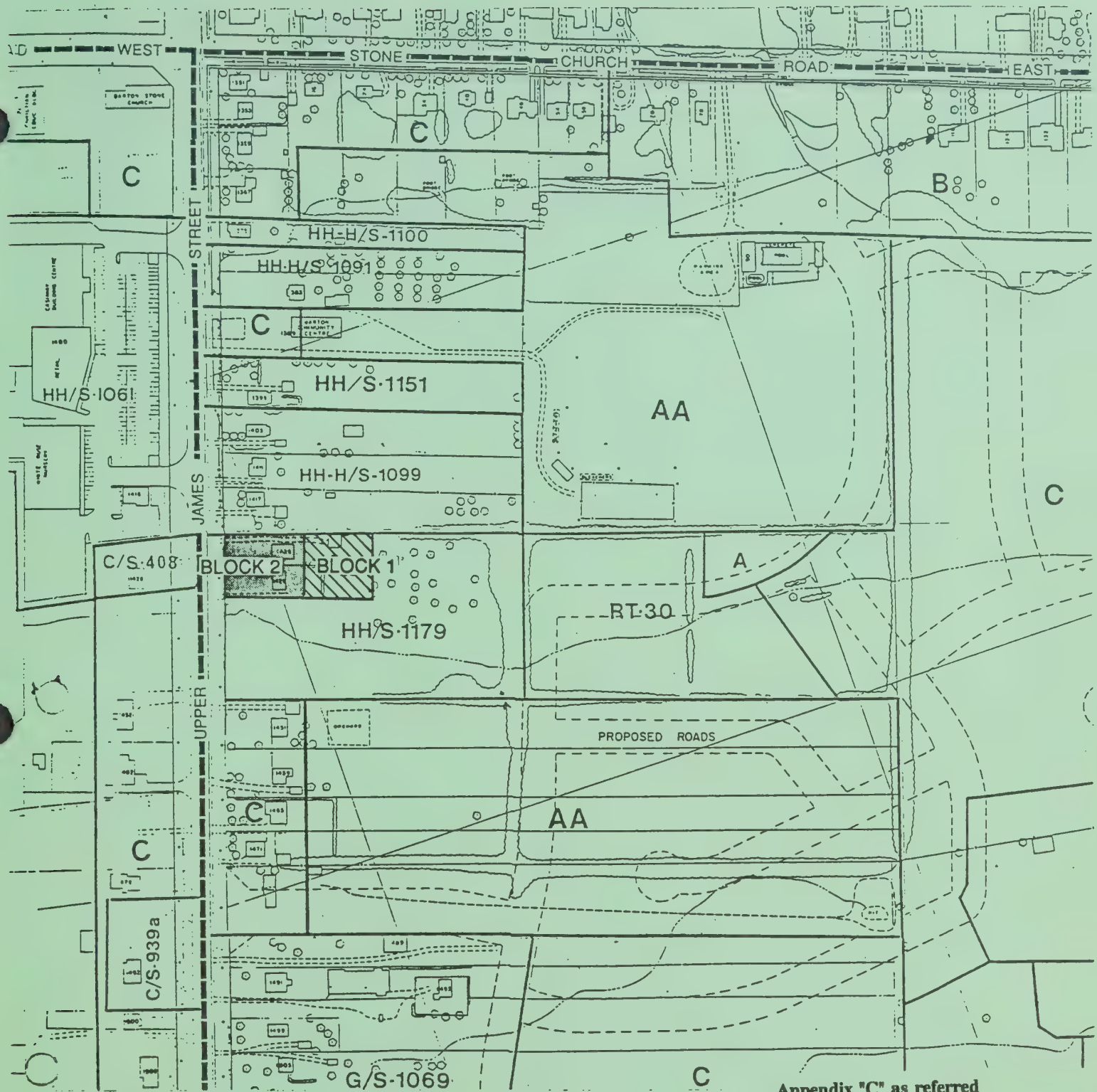
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Site of the Application

C 40





Legend

Proposed change in zoning from:

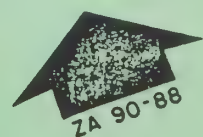


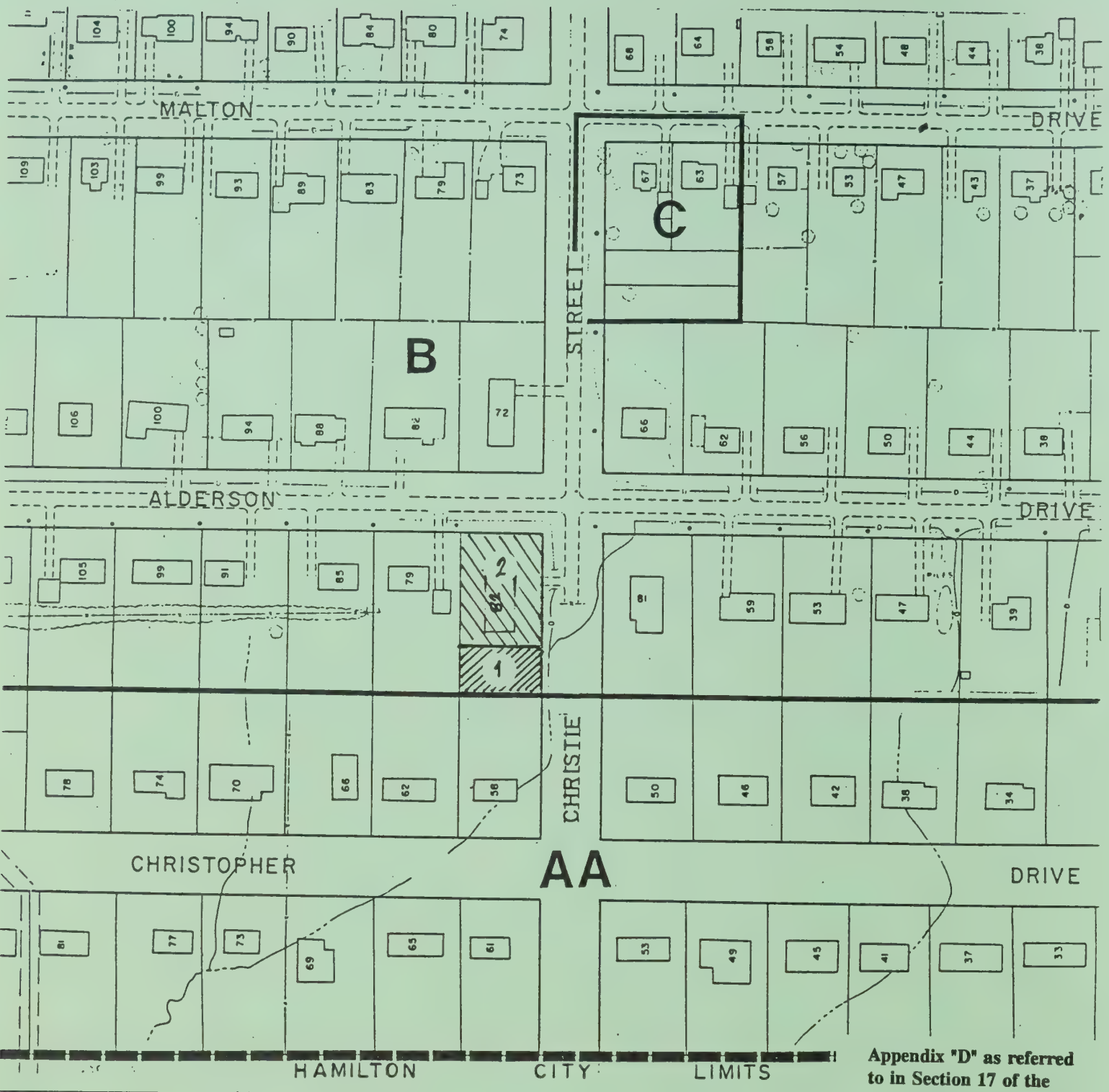
"AA" (Agricultural) District to "HH"-H" (Restricted Community Shopping and Commercial-Holding) District.



"C" (Urban Protected Residential, etc.) District to "HH"-H" (Restricted Community Shopping and Commercial-Holding) District.



Appendix "C" as referred to in Section 16 of the TWELFTH Report for 1991 of the Planning and Development Committee



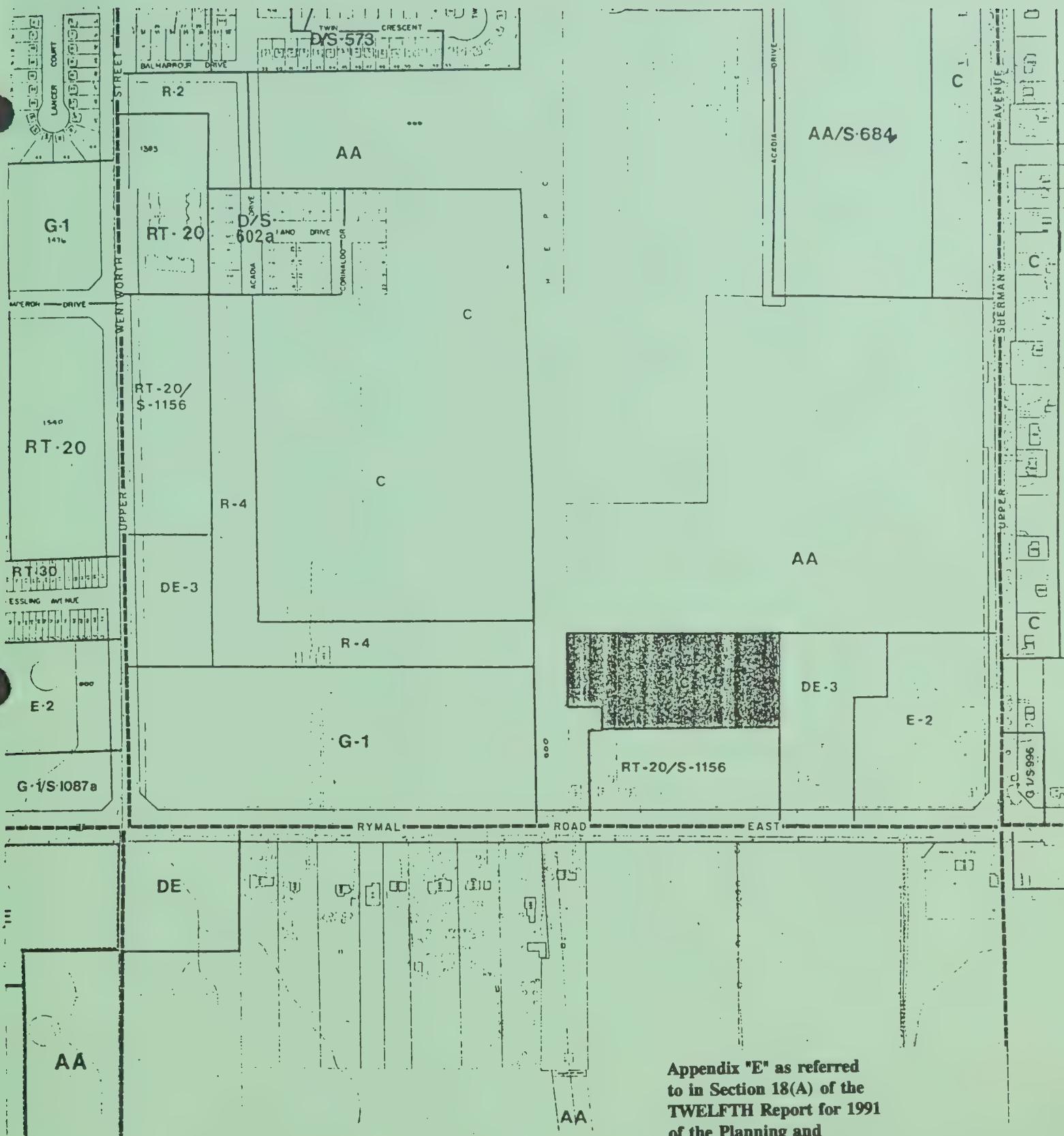


Appendix "D" as referred to in Section 17 of the TWELFTH Report for 1991 of the Planning and Development Committee

LEGEND.

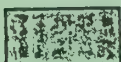
- Block 1  CHANGE IN ZONING FROM "B"(SUBURBAN AGRICULTURE AND RESIDENTIAL, Ck.) DISTRICT TO "C"(URBAN PROTECTED RESIDENTIAL, Ck.) DISTRICT.
- Block 2  MODIFICATION TO THE "B"(SUBURBAN AGRICULTURE AND RESIDENTIAL, Ck.) DISTRICT.



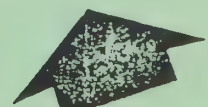


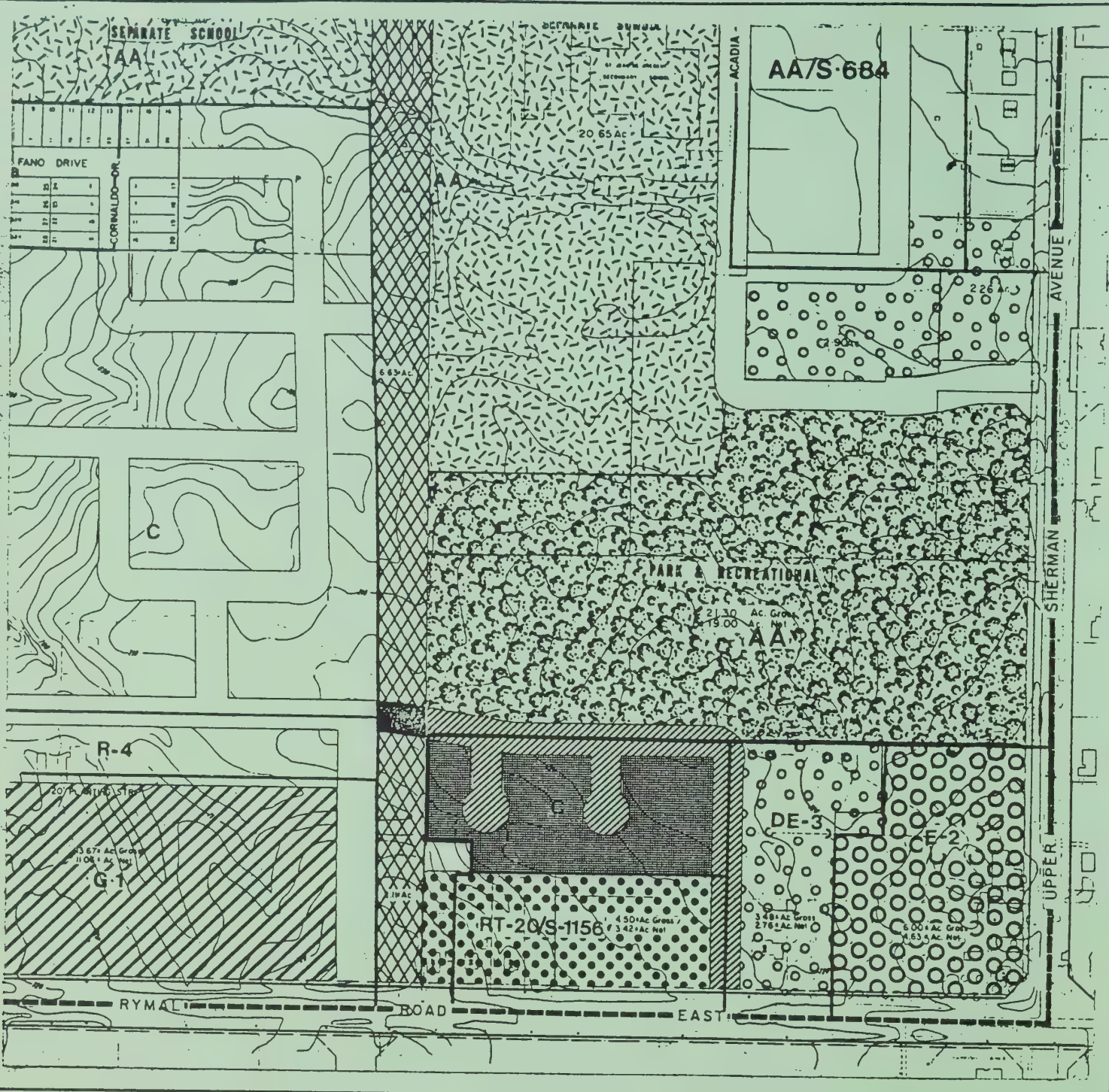
Appendix "E" as referred
to in Section 18(A) of the
TWELFTH Report for 1991
of the Planning and
Development Committee

Legend



Site of the Application








PROPOSED AMENDMENTS BUTLER NEIGHBOURHOOD PLAN

Appendix "F" as referred
to in Section 18A(f)(ii)
& 18A(f)(iii) of the
TWELFTH Report for 1991
of the Planning &
Development Committee

C 44

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

-  Redesignation From "Single And Double Residential"
To "Attached Housing"
-  Deletion Of Roadway
-  Walkway (66 feet in width)

North

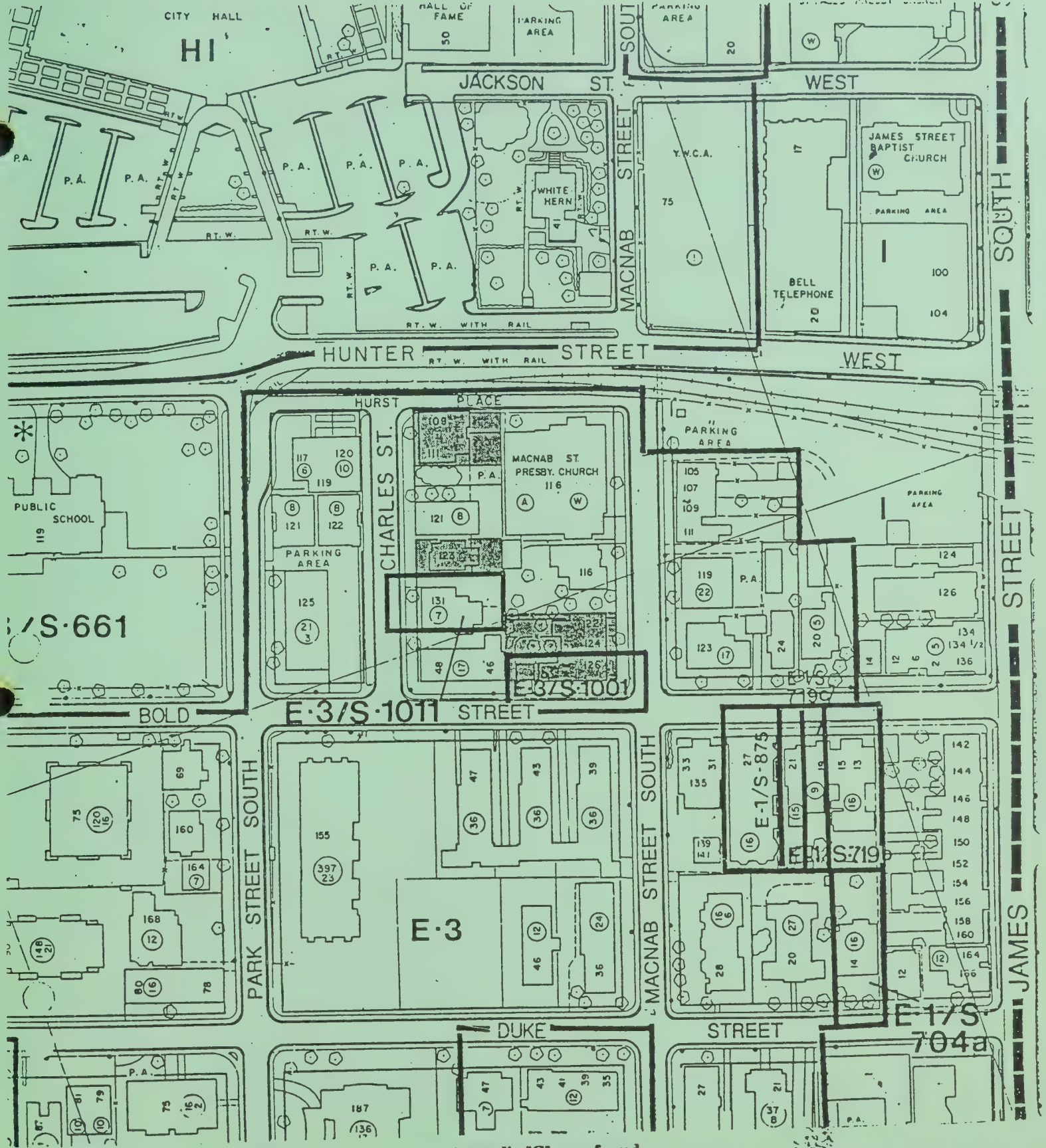


Scale
NTS

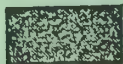
Reference File No.

Date
91-03-05

Drawing No.

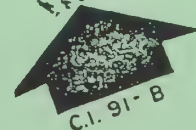


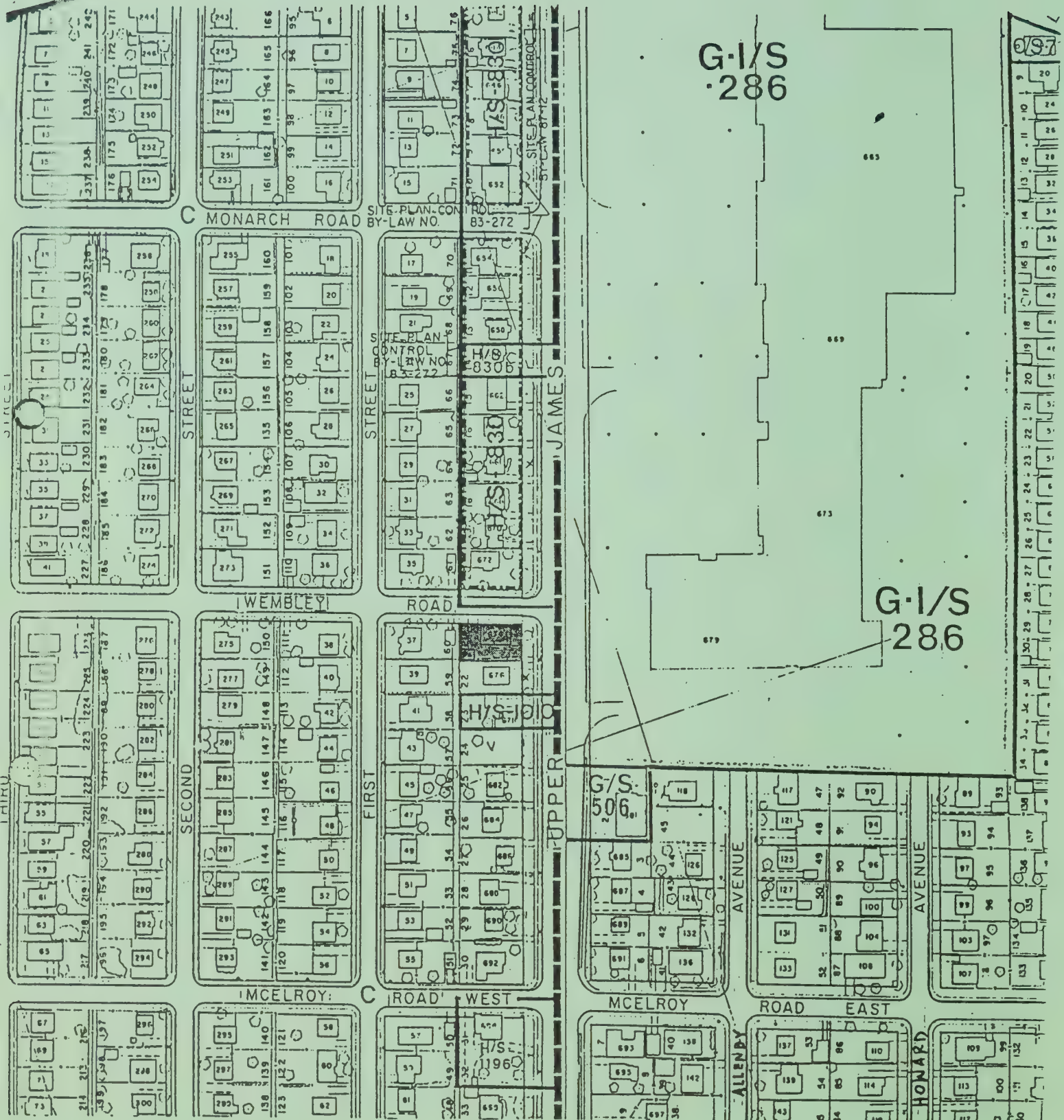
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Subject Properties

Appendix "G" as referred
to in Section 19(B) of the
TWELFTH Report for 1991
of the Planning and
Development Committee





Legend



Site of the Application

Appendix "H" as referred
to in Section 20(B) of the
TWELFTH Report for 1991
of the Planning and
Development Committee

C 46



July 3, 1991

ALLISON NEIGHBOURHOOD PLAN

PROPOSED POLICIES

I. INTRODUCTION

The Allison Neighbourhood Plan has been developed to help ensure the orderly development of the neighbourhood. It defines the type and location of the various land uses which are to be encouraged, as well as a description of the manner in which these are to be developed.

The Plan consists of the following two parts:

- A map of the Land Use Concept, attached as Appendix "A"; and,
- A set of written policies, found under Section 3.

2. BACKGROUND

The availability of sewer services enables Allison Neighbourhood to be developed.

The policies in the Plan have been based on the existing planning policies for the area.

- The land use designations and policies in the City of Hamilton Official Plan, which designate areas in the Neighbourhood for residential, commercial and major institutional uses; and,
- (Special Policy Area 31), which recognizes Upper James Street as a highway oriented commercial area.

The neighbourhood planning process includes several steps to ensure opportunity for review and revision of draft policies; including:

- collection and compilation of background information, on all aspects related to planning of the Neighbourhood;
- preparation of draft land use concepts which are circulated to various agencies for comments;
- holding of a public meeting to discuss the details of the proposed land use concept with area residents and owners; and,
- revision and adoption of the final plan by Committee and Council.

**Appendix "I" as referred
to in Section 21(b) of the
TWELFTH Report for 1991
of the Planning and
Development Committee**

3. NEIGHBOURHOOD PLAN

A. Goals

There are three major goals which the Allison Neighbourhood Plan attempts to achieve, namely:

- neighbourhood self-sufficiency;
- efficient and attractive design; and,
- a viable commercial area on Upper James Street which serves a wider area than the neighbourhood.

B. Policies

The following sections contain the planning policies, which are grouped by Land Use types.

I. Residential

- The predominant form of land use in the Allison Neighbourhood will be low density residential and related uses.
- Residential development will include:
 - Very large lots in the established housing area with lot sizes of about 12,000 square feet and above;
 - Larger lots, abutting areas of very large lots with lot sizes of about 5,000 square feet and above;
 - Single and double housing in the majority of the undeveloped area with lot sizes of about 4,000 square feet and above; and,
 - Attached housing at the corner of Rymal Road and Upper Wellington.
- Residential development will be encouraged which:
 - is compatible with the height and density of adjacent development;
 - is innovative in design, e.g., energy-efficient; and,
 - includes a variety of housing sizes, densities, types and costs.

Home occupations will be permitted within residential areas, as long as these are compatible with residential uses.

2. Commercial

- A variety of commercial uses will be encouraged along Upper James Street and Rymal Road up to the corner of Ryckmans Street, in a planned fashion, to effectively serve the needs of local residents and others, including:
 - highway commercial uses, e.g. gas stations, car dealerships, restaurants which will be permitted along the north part of Upper James Street; and
 - office and service commercial uses, e.g. banks, hairdressing, drycleaning, shoe repair which will be permitted along the south part of Upper James Street;
 - neighbourhood commercial uses will be permitted on Rymal Road between Upper James and Ryckmans Streets. Such commercial uses should not include high traffic generators such as restaurants.
 - Existing commercial uses.
- Vehicular access onto Ryckmans Street, is prohibited from the neighbourhood commercial development at the corner of Rymal Road and Ryckmans Street.

3. Civic and Institutional Uses

The Public School (Ryckmans Corners Junior School) and church (Mount Calvary Baptist Church) will be retained to serve the community.

Other civic and institutional services e.g. library, police, fire will be provided outside the neighbourhood.

4. Parks, Recreation and Open Space

- A parkette is planned from the proposed extension of Bartlett Avenue to McClary Avenue.
- A Neighbourhood Park will be located east of Springside Drive.
- Other recreational services will be provided outside the neighbourhood.

5. Transportation

- New and extended local roads will be provided in Allison to enable the efficient development of the area while discouraging through traffic.
- Pedestrian facilities such as sidewalks/walkways will be provided to access schools, bus routes, parks and commercial areas, etc.

6. Urban Design and Landscaping

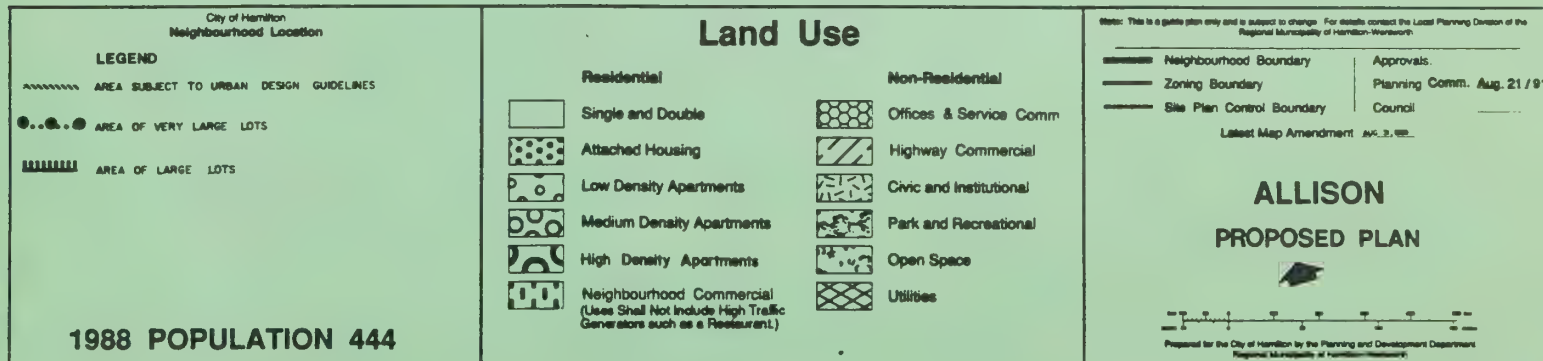
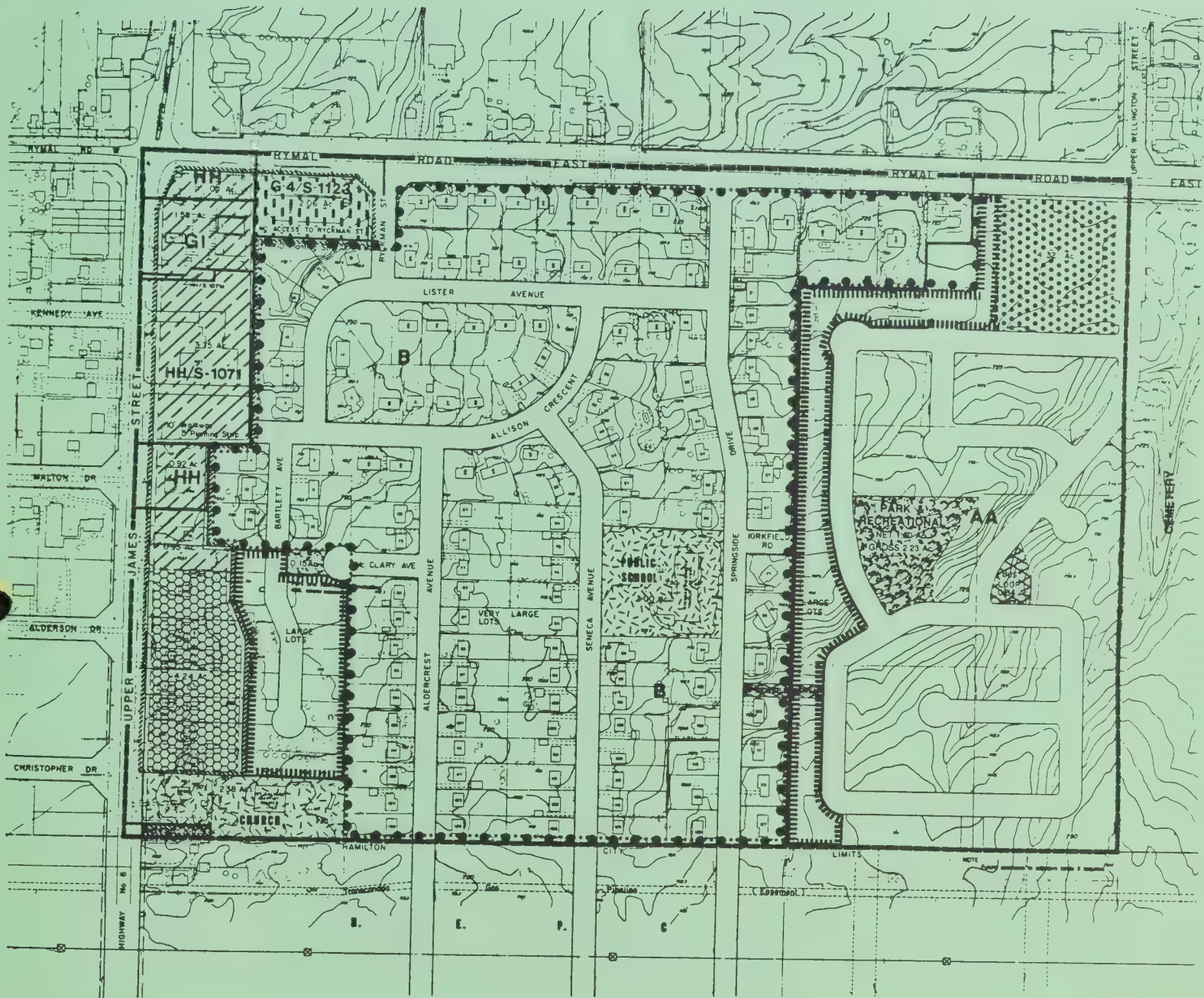
- The south part of Upper James Street (primarily designated 'Office and Service Commercial') will retain its treed character. Landscaping will predominate in front of the buildings (either existing or new) and the bulk of parking will be at the rear.
- Existing vegetation will be retained wherever possible, including borders of mature trees, in the interior of the neighbourhood and along arterial roads.
- New trees and other landscaping will be added where possible, such as along arterial roads and on private property. Upper James Street landscaping requirements will be implemented to provide a landscaped strip to the front and the rear of commercial developments in this section.
- Use of new landscaping to maximize the use of passive solar energy for heating buildings will be promoted.
- Heritage buildings with historical and/or architectural significance will be preserved where possible.

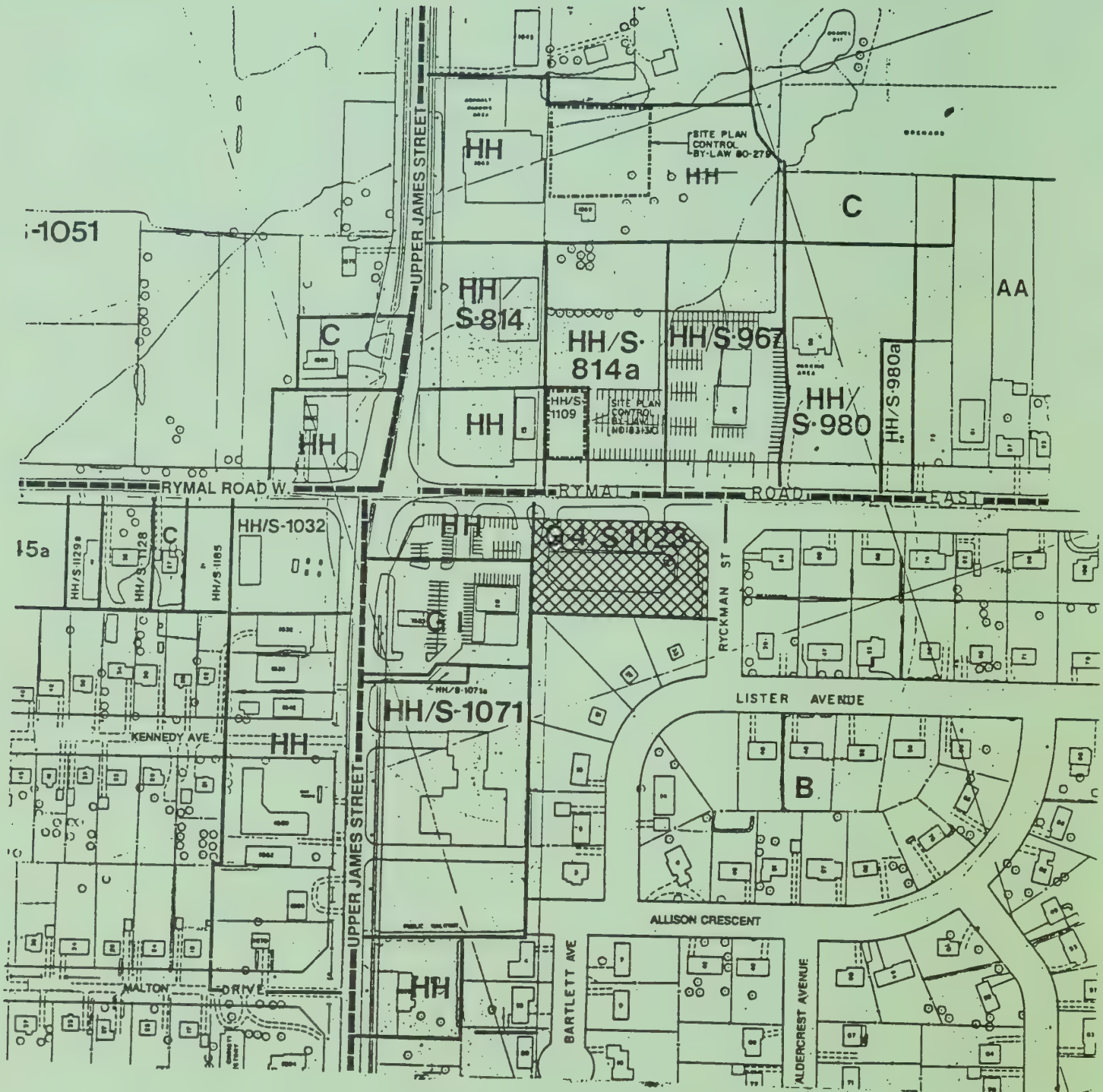
7. Infrastructure

- Full municipal services, including storm and sanitary sewers and adequate water supply will be provided for residents of the neighbourhood.
- New developments will be permitted only in areas to which municipal services have been extended.

8. Plan Implementation

- This plan, when adopted by City Council, will form the framework for the future development of the neighbourhood.
- The plan is intended to be flexible enough to allow for changes which reflect the general goals of the Plan.
- Neighbourhood Plan Amendments will be required only when there are significant changes in the neighbourhood.
- Any significant changes will require input from the citizens affected, and will be approved by City Council.
- Development will be controlled through the zoning by-law and subdivision of land.
- Commercial development and attached housing residential development will be subject to site plan control.





Appendix "J" as referred
to in Section 22 of the
TWELFTH Report for 1991
of the Planning and
Development Committee

Legend



Site of the Application



REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **SIXTEENTH** Report for 1991 and respectfully recommends:

1. That a purchase order be issued to H & N Roofing & Sheet Metal Ltd., London in the amount of \$120,779.46, including all taxes, to reroof Coronation, Eastwood and Inch Recreation Centres, being the lowest acceptable of fourteen quotations received, in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation, and that this expenditure be financed through Major Maintenance Account No. CF5255 319141001.
2. That the Council of the Corporation of the City of Hamilton deem that the Festival of the Hellenic Community of Hamilton and District to be held on 1991 August 31, September 1 and September 2, is an event of municipal significance and Council has no objection to the issuance of a Special Occasion Permit.
3. That permission be granted to the Mayor's Race Relations Committee to use the City Hall Council Chamber on Monday, 1991 September 30 from 7:00 p.m. to 9:30 p.m. for a Race Relations Workplace Seminar.
4. That permission be granted to the Mayor's Race Relations Committee to use the second floor east and west foyer area for a Photo Contest Display from 1991 September 23 to 27, with a reception to be held on Friday, 1991 September 27.
5. That permission be granted to the Liberal Task Force on the Status of Disabled Persons to use Committee Room 233 on Thursday, 1991 September 05 from 9:00 o'clock a.m. to 4:00 o'clock p.m. for the purpose of holding hearings.
6. That permission be granted to the Take Back the Night Collective to use the following City Hall facilities and related equipment on Thursday, 1991 September 19

for a rally and coffee house in conjunction with the annual Take Back the Night March in Hamilton.

- (a) 7:00 p.m. to 8:00 p.m - Forecourt
- (b) 7:00 p.m. to 10:00 p.m. - Room 264
- (c) 8:00 p.m. to 10:00 p.m. - City Clerk's Foyer

7. That approval be given to the action taken by the City Clerk in authorizing Project Ploughshares to use City Hall Council Chambers on Tuesday, 1991 August 06 for a ceremony commemorating "Peace Day: Hiroshima/Nagasaki".
8. That approval be given to the action taken by the Finance and Administration Committee in authorizing Employees of the Local Industry to use the City Hall forecourt and related equipment on Tuesday, 1991 August 27 from 11:30 a.m. to 2:00 o'clock p.m. for a Rally concerning the proposed Nationalization of Automobile Insurance In Ontario.
9. That City Council consent to the use of the name "Hamilton" in the proposed incorporation of Hamilton Payroll Services Inc.
10. That the fees paid to the City Doctor be increased by 4% effective 1991 January 1.
11. That the listing of Appointments to and Terminations from Permanent Positions with the Corporation to 1991 August 13, attached hereto as Appendix "A", be approved.
12. That the Province be requested to amend the City of Hamilton Act, 1985 by deleting sections 9 and 13, and substituting the following therefore:

"s.9 (1) (a)The corporation shall have a board of directors who shall **set policy and guide the corporation, its officers, employees, agents and servants** according to the purposes and objects of the corporation.

(b)The officers of the corporation shall **administer and manage the general operation and affairs of the corporation in accordance with the policies of the board and with the practices and procedures of the City as specified in this Act.**

(2) The Board shall be composed of the Mayor of the City, and such other members as Council may be by-law determine, of whom not more than four shall be members of Council.

(3) The council members appointed as directors under this section shall be appointed for a term not exceeding their term of office as members of council.

(4) The directors, other than council members, shall be appointed for a term of three years or such lesser number of years so that one-third of the directors retires at the end of each year.

s.13 (a)The Board may appoint committees that it determines necessary to conduct the business of the Board; and

(b)Each committee appointed shall be composed of not less than three members of the Board and shall perform such duties and undertake such responsibilities as the Board specifies; and further each committee shall report to the Board.

13. (a) That the City of Hamilton participate in the 1991 Canadian Bar Association, Central and Eastern European Legal Internship Program by training/mentoring an intern from Hungary who is a Municipal Politician as well as lawyer.

(b) That the City of Hamilton assist the CBA in implementing a shared response for the Internship with a Hamilton Law Firm; and in the event that funding for the intern is insufficient, that the City consider supporting the internship from unexpended funds in the Law Department account, Outside Counsel, to a maximum of \$5,000.

14. (a) That a Convention/Reception Grant be approved in the amount of \$2,000. to be used to assist in defraying expenses to be incurred in providing a Gala Open House Reception on the occasion of the 35th Anniversary of Hamilton Theatre Inc. to be held on 1991 September 14.

(b) That this expenditure be funded within the grants budget and appropriate Grant Account No. CH5AXXX 200XX.

Theatre Group, and, furthermore, that correspondence be sent to all Ontario municipalities over 10,000 population for their support of this resolution with encouragement to all communities to provide support to this organization."

22. That the following resolution from the City of Nepean pertaining to the calling of a Royal Commission Inquiry into the circumstances surrounding the Air India Tragedy be received.

WHEREAS Air India Flight 182, a 747 passenger jet carrying 329 people including 295 Canadians from Toronto to London, crashed 110 miles west of the Irish coast on June 23, 1985,

AND WHEREAS all of the 329 passengers and crew, including six infants, 82 children and more than a dozen families perished;

AND WHEREAS after six years of investigation many of the families and friends of these victims have not been satisfied that the Federal Government has done everything in their power to discover the truth about Flight 182 and to ensure that such a tragedy never occurs again,

THEREFORE, BE IT RESOLVED THAT the City of Nepean call on the Federal Government to immediately initiate a Royal Commission of Inquiry into the circumstances surrounding the Air India tragedy including recommendations aimed at ensuring that a similar incident does not re-occur;

AND BE IT FURTHER RESOLVED THAT the Federation of Canadian Municipalities be notified of this request, and that the City of Nepean encourages other municipalities to pass similar motions calling for a Royal Commission of Inquiry into the Air India Tragedy.

23. That the following resolution from the Regional Municipality of Waterloo regarding The Development Charges Act, be received.

THAT the Regional Municipality of Waterloo request the Province of Ontario, in conjunction with the appropriate municipal organizations, to establish a Task Force to review and standardize the administrative implications of the Development Charges Act, S.O., 1989 and Ontario Regulation 725/89.

And that the Region request the Province of Ontario to delay the 23 November, 1991 implementation date for Development Charge By-Laws until the aforementioned review and standardization has been completed;

And further that this resolution be circulated to the Regional Chairmen's group; the Association of Municipalities of Ontario; Municipal Finance Officers Association; Regional Planning Commissioners group; and all municipalities having a population of 50,000 or more.

24. (1) That the City Solicitor be authorized and directed to prepare a by-law to amend By-law 80-258, respecting Smoking in Public Places to:
- (a) (i) Prohibit smoking in Rest Rooms in a Retail Shop and parts of a Retail Shop used as Offices;
 - (ii) Prohibit smoking in Hairdressing Parlours and Barbershops;
 - (b) Prohibit smoking in a Patient Care Area of a Hospital;
 - (c) Prohibit smoking in Reception Areas;
 - (d) Increase the no smoking area in a Restaurant from 20% to 50% of its seating capacity;
 - (e) (i) Prohibit smoking in laundry rooms and common areas,
 - (ii) Prohibit smoking in meeting and recreation rooms in apartment buildings. Should there be more than one meeting or recreation room, provision could be made for one designated smoking room;
 - (f) Prohibit smoking in Bus Shelters;
 - (g) Prohibit smoking in common areas of shopping malls with the exception of food courts where the 50% smoking restriction will apply.
 - (h) Change the maximum fine from \$2,000. to \$5,000. which is now set by the Provincial Offenses Act.

- (i) Provide a clause which will require review of the By-law within two years of the date the By-law comes into effect; and to require that the by-law will remain in effect until a subsequent by-law is enacted.
- (j) Provide a clause to require that this by-law will not take effect until 1992 January 1.
- (2) That By-law 80-258 not be amended to prohibit smoking in 20% of the seating capacity of Bars, Lounges and Taverns.

The above matter was lost due to a tie vote at the Finance and Administration Committee meeting and in accordance with policy is now being submitted to City Council for consideration and disposition.

- (3) That the City Clerk be directed to review smoking restrictions in Places of Public Assembly and report back to the Finance and Administration Committee with recommendations for compliance.
 - (4) That upon passage of this by-law and prior to the 1992 January 1 implementation date the City Clerk be authorized and directed to place advertisements in local newspapers advising the public of this new legislation.
25. That the City of Hamilton establish an official target of achieving the goal of a smoke free community by the year 2000 in accordance with the World Health Organization.
26. (a) That the City of Hamilton petition the Province of Ontario to change the Legislature to include the declaration of Conflicts of Interest at all Committee meetings in which they may have a conflict;
- (b) That the City of Hamilton's Code of Conduct be amended to make it clear that the Conflict of Interest Legislation applies to Committees as well as Council meetings;
- (c) That City Council reaffirm its current practice of declaring conflict of interest at committee meetings.
27. (a) That the City of Hamilton decline the Plaintiffs' Offer to Settle Ontario Court (General Division) Action No. 2732/87, dated 1991 June 5.

- (b) That the City of Hamilton offer to settle Ontario Court (General Division) Action No. 2732/87, on the following basis.
- (i) That the City of Hamilton pay to the Plaintiffs, John and Salvina Micallef the \$4,000. inclusive of all claims for damages interest and costs.
 - (ii) That the Plaintiffs, John and Salvina Micallef, provide to The Corporation of the City of Hamilton, a Full and Final Release with respect to any and all causes of actions now, or in the future, arising out of the lot grading on Lot 1 of Plan 62M-460 and the existence of a retaining wall between the addresses known municipally as 760 and 766 Upper Paradise Road in the City of Hamilton.
 - (iv) That the Plaintiffs, John and Salvina Micallef, consent to the dismissal of Ontario Court (General Division) Action 2732/87 as against the City of Hamilton without costs.
 - (v) That if the Third Party, DiCenzo Construction Limited, also pays to the Plaintiffs, John and Salvina Micallef, the sum of \$4,000. inclusive of all damages interests and costs; and further that if the Defendant, Steve Kozar Construction Limited also pays to the Plaintiffs, John and Salvina Micallef, the sum of \$4,000.00 inclusive of all interest and costs; and provided that DiCenzo Construction Limited and Steve Kozar Construction Limited, or either of them also repair the sunken portion of the Micallef's yard adjacent to the retaining wall by filling the depression, grading the area and re-sodding, and construct a fence of at least six feet in height along the lot line between the Micallef's and Lot 1, Plan 62M-460, that the City consent to the dismissal of the Third Party Claim against DiCenzo Construction Limited and all cross claims as between the City of Hamilton and Steve Kozar Construction Limited without costs.
 - (vi) That this Offer remain open for acceptance until the commencement of trial or until withdrawn, whichever first occurs.
- (c) That upon DiCenzo Construction Limited or Steve Kozar Construction Limited obtaining from the registered owners of Lot 1, Plan 62M-460 a Full and Final Release in a form satisfactory to the Law Department of any and all rights or causes of action arising out of the lot grading on Lot 1, Plan 62M-460, or the existence of a retaining wall on Lot 1, Plan 62M-460, and between

the properties known municipally as 760 and 766 Upper Paradise Road in the City of Hamilton, that the City deem the lot grading requirements of the Subdivision Agreement to be fulfilled with respect to Lot 1 on Plan 62M-460.

- (d) That, provided that all other requirements of the Subdivision Agreement have been complied with, the City consent to the discharge of the Subdivision Agreement and the Release of the securities held thereunder.
- (e) That the Building Department be instructed to inspect immediately the retaining wall between 760 and 766 Upper Paradise Road in the City of Hamilton and, if appropriate, take steps under the Property Standards By-law. That the building Department be further instructed to inspect said wall annually pursuant to the Property Standards By-law until the wall has been replaced.

28. That the City of Hamilton make an Offer to Settle Ontario Court (General Division) Action No. 16341/89 on the following basis:

- (a) That the City of Hamilton will pay to the Plaintiff, Steven Patrick Preuss, the sum of \$1,500. inclusive of all damages, interest and costs.
- (b) That the Plaintiff will execute a Full and Final Release satisfactory to the City of Hamilton's Law Department.
- (c) That the action will be dismissed without costs.
- (d) That this Offer remains open for acceptance until withdrawn or until the commencement of trial whichever first occurs.

29. (a) That the City of Hamilton resolve Ontario Court (General Division) Action No. 15206/89 by payment of \$5,220. to Linda Jensen, personally, and as Litigation Guardian for Christine Jensen and Mark Jensen, in the amount of \$5,220. inclusive of legal costs and interests.

- (b) That the Plaintiffs be required to execute a Full and Final Release satisfactory to the City of Hamilton's Law Department.
- (c) That Ontario Court (General Division) Action No. 15206/89 be dismissed, as against the City of Hamilton, without costs.

30. (a) That the City of Hamilton resolve Ontario Court (General Division) Action No. 15594A/90 by payment of \$12,250. to the Plaintiffs, Alia Melhem, Melhem Melhem and Nellie Melhem, inclusive of all damages, interests and costs.
- (b) That the Plaintiffs be required to execute a Full and Final Release satisfactory to the City of Hamilton's Law Department.
- (c) That Ontario Court (General Division) Action No. 15594A/90 be dismissed, as against the City of Hamilton, without costs.
31. That Mr. David Ormerod of the City of Hamilton be awarded a civic gold ring in recognition of winning the National Basketball Championship held at the University of Western Ontario March 1991.
32. (a) That pursuant to City Council's policy with respect to requests received for contributions/donations to relief funds, the request of the Christian Children's Fund of Canada dated 1991 July 02 for a donation of approximately \$155,000. towards relief and recovery efforts in the country of Bangladesh which was struck by a cyclone on 1991 April 29, be referred to the Regional Municipality of Hamilton-Wentworth for consideration.
- (b) That before a decision is made in this matter Regional Council be requested to canvass major municipalities throughout Canada to determine if they have contributed to the Bangladesh Relief Fund through the Christian Children's Fund of Canada.
- (c) That Mr. L. Sage, C.A.O., be instructed to obtain the necessary information on the availability of Federal funding through the Federation of Canadian Municipalities to send municipal employees with specific expertise to Bangladesh to assist in relief efforts.
33. That leave be granted to introduce the following bills:
- (a) **Bill H-38** A By-law to Authorize A Municipal Question to the Vote of The Electors

- (b) **Bill H-39** A By-law to Authorize The Central/Beasley P.R.I.D.E. Housing Intensification Program
- (c) **Bill H-40** A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton

RESPECTFULLY SUBMITTED,

**ALDERMAN B. HINKLEY, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

John Thompson, Secretary
1991 August 22

Attch.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Mr. Chris Anker	Sportsgroundsman/ Woman (D-14D)	Public Works	Replacing Mr. E. Bettencourt - resigned	\$31,524.76 to \$31,661.76	08/07/91
Ms. Deborah Chambers	Administrative Assistant I (A-N)	Law	Replacing Ms. J. Davis - retired	\$35,994.92 to \$42,446.56	31/07/91
Mr. Ken Cole	Lieutenant (C-7)	Fire	New Position -Council approved March 27, 1990	\$51,063.31	21/07/91
Mr. Gerry Costello	Street Sweeper Operator (D-15B)	Public Works	Replacing Mr. B.T. Merritt -promoted	\$31,356.00 to \$31,772.00	16/07/91
Mr. Ronald Farthing	Foreman/Woman I (11-C)	Public Works	Replacing Mr. R. Duguay - retired	\$37,038.04 to \$44,328.44	15/07/91
Mr. John Gyurko	Parking Meter Collections Clerk (A-3R)	Treasury	Replacing Mr. R. Schofield - retired	\$36,359.44 to \$51,942.02	25/07/91
Mr. C. Douglas Kirby	Entertainment Program & Sales Manager (18-S)	H.E.C.F.I.	New position -Board approved February 22, 1991	\$50,472.24 to \$59,471.88	02/07/91

Prepared 13/08/91

Appendix "A" as referred to in
Section 2 of the SIXTEENTH Report
of the Finance & Administration
Committee for 1991.

APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Mr. Mark Leger	Lieutenant (C-7)	Fire	New Position - Council approved March 27, 1990	\$51,063.31	21/07/91
Mr. Ron MacIntyre	Lieutenant (C-7)	Fire	New Position - Council approved March 27, 1990	\$51,063.31	21/07/91
Mr. Peter Morosin	Foreman I (10-C)	Public Works	Replacing Mr. N. Spisak - retired	\$38,038.52 to \$45,328.40	22/07/91
Mr. Garry Smith	Deputy Fire Chief (E)	Fire	Replacing Mr. J. Fitzpatrick - retired	\$69,023.76 to \$81,279.64	01/07/91
Mr. David Thomas	Labourer/Truck Driver (D-11A)	Public Works	Replacing Mr. A. Hamen - transferred	\$30,699.60 to \$31,085.60	26/07/91
Ms. Debra Vivian	Promotion & Public Relation Officer (16)	H.E.C.F.I.	New Position - due to reorganization	\$45,154.72 to \$53,153.36	15/07/91

Prepared 13/08/91

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Charles Blackburn	Assistant Supervisor Stores	Treasury	Retired	32 years, 1 month	31/07/91
Ms. Joyce Davis	Administrative Assistant	Law	Retired	23 years, 4 months	31/07/91
Mr. John Fitzpatrick	Deputy Fire Chief	Fire	Retired	35 years	31/07/91

Prepared 13/08/91

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 91-

TO INCORPORATE CITY LANDS
INTO QUIGLEY ROAD

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Quigley Road by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Quigley Road.

Parts of Lot 30, Concession 4, in the geographic Township of Saltfleet, City of Hamilton Regional Municipality of Hamilton-Wentworth, and more particularly described as follows:

PREMISING that the bearings herein are related to the division line between lots 29 and 30, Concession 4 on a course of N 16°27'20" E

FIRSTLY

COMMENCING at a point in the western limit of Quigley Road, being a line drawn parallel to an distant Thirty-three point zero feet (33.0') measured westerly at right angles from the division line between lots 29 and 30 the said point being distant Six hundred and forty-five point one seven feet (645.17') measured north 16° 27'20" East along the said parallel line from the southern limit of the said lot 30.

THENCE North 10 27'20" East continuing along the said western limit of Quigley road Fifty point zero feet (50.0'). THENCE North 73° 15'40" West Ten point zero feet (10.0') THENCE South 16 27'20" West parallel to the said western limit of Quigley Road Fifty point zero feet (50.0'). THENCE South 73° 15'40" East Ten point zero feet (10.0') more or less to the point of commencement. As in instrument No. 183587 A.B.

SECONDLY

COMMENCING a point in the western limit of Quigley Road, being a line drawn parallel to and distant Thirty-three point zero feet (33.0') measured westerly at right angles from the division line between Lots 29 and 30 the said point being distant Six hundred and ninety-five point one seven feet (695.17') measured north 16° 27'20" East along the said parallel line from the southern limit of the said Lot 30.

THENCE North 16° 27'20" East continuing along the said western limit of Quigley Road one hundred point zero feet (100.0')

THENCE North 73° 15'40" West Ten point zero feet (10.0')

THENCE South 16° 27'20" West parallel to the said western limit of Quigley Road One hundred point zero feet (100.0')

THENCE South 73° 15'40" East Ten point zero feet (10.0') more or less to the point of commencement. As in instrument No. 183586 A.B.

2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this day of A.D. 1991.

City Clerk

Mayor

BY-LAW NO. 91 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 10 (Stops at Intersections)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

*Chert	Westbound	Derek
Derek	Eastbound	National
Chert	Southbound	National
Ellen	Northbound	National
Ellen	Southbound	Tommar
Tommar	Westbound	National
National (east leg)	Northbound	Tommar
Dufferin	Eastbound and Westbound	Paradise
Millstream	Northbound	Appleford
Forestgate (north leg)	Northbound	Appleford
Forestgate (south leg)	Northbound	Appleford
Alto	Northbound	Capilano
Glen Valley	Southbound	Capilano
Old Orchard	Northbound	Gainsborough (north leg)
Briarwood (south leg)	Northbound	Briarwood (east and west legs)
Pearson (north leg)	Northbound	Mount Pleasant
Pearson (south leg)	Eastbound	Mount Pleasant
Royal Vista	Eastbound	Templemead
Templemead	Northbound and Southbound	Royal Vista
Rita	Southbound	Royal Vista
Mount Pleasant (north leg)	Westbound	Templemead
Mount Pleasant (south leg)	Southbound	Templemead
Ingrid	Eastbound	Templemead
Innswood	Eastbound	Templemead
Pompano	Southbound	Pearson
Independence	Westbound	Mount Pleasant
Independence	Northbound	Templemead
Lake	Northbound and Southbound	Huckleberry
Ashridge	Northbound	Broughton
Derby	Southbound	Ossington
Charwood	Southbound	Beaverbrook
Hartleigh	Southbound	Beaverbrook
Grayrocks	Southbound	Beaverbrook
Broughton	Eastbound	Grayrocks
Grayrocks	Northbound and Southbound	Broughton
Cadham	Eastbound	Broughton
Broughton	Northbound and Southbound	Cadham
Ossington	Southbound	Broughton
Broughton	Southbound	Beaverbrook
Christie	Northbound and Southbound	Alderson
Christie	Northbound and Southbound	Kennedy
Park Plaza	Eastbound and Westbound	Carriagegate".

2. **Schedule 22 (Hamilton Street Railway Bus Routes)** is hereby amended by

*Greenhill	King	Summercrest".
------------	------	---------------

3. **Schedule 23 (Hamilton Street Railway Bus Stops)** is hereby amended

a) by adding to the Inbound Column the following items, namely:-

"Quigley, 49 feet north of Albright".

and by deleting therefrom the following item, namely:-

"Quigley at Albright".

b) by adding to the Outbound Column the following items, namely:-

"Quigley, 36 feet south of Veevers

Greenhill, 10 feet north of Monte

Greenhill, 121 feet north of Tasha

Greenhill, 72 feet south of Tommar".

4. **Schedule 35 (Wheelchair Loading Zones)** is hereby amended by adding thereto the following items, namely:-

Julian	East	24 feet	190 feet south of Britannia	11:00 a.m. to 7:00 p.m.
Greendale	West	17 feet	184 feet south of the south curb line of the north leg of Greendale	7:00 a.m. to 9:00 p.m."

PASSED THIS DAY OF , A.D. 19 .

CITY CLERK

MAYOR

BY-LAW NO. 91 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 24 (Parking Meter Locations)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended:

a) by deleting from **Section 2(b)(Two Hour Limit)** the following items, namely:-

"Walnut	West	Jackson to Hunter
MacNab	West	1st and 2nd meters south of Cannon".

and by adding thereto the following items, namely:-

"Walnut	West	Jackson to 154 feet north of Hunter
MacNab	West	York to Vine
MacNab	Both	Vine to Cannon".

b) by deleting from **Section 3(b)(One Hour Limit)** the following items, namely:-

"MacNab	Both	Vine to Cannon
MacNab	West	Merrick to Vine".

2. **Schedule 25A(Parking Time Limits)** is hereby amended by adding to **Section 5 (One Hour Limit)** the following item, namely:-

"Walnut	West	Hunter to 154 feet north".
---------	------	----------------------------

3. **Schedule 26 (No Parking Areas)** is hereby amended by adding to **Section A (No Parking Anytime)** the following item, namely:-

"Mary	East	Simcoe to a point 91 feet south".
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4. **Schedule 34 (Sticker Permit Parking)** is hereby amended by adding thereto the following items, namely:-

"Picton	South	commencing at a point 134 feet east of Bay to a point 21 feet easterly therefrom	Anytime
Hillcrest	South	commencing at a point 165 feet west of the extended west curb line of Beulah to a point 20 feet westerly therefrom	Anytime".

PASSED THIS DAY OF , A.D. 19 .

CITY CLERK

4

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 91-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED ON THE EAST SIDE OF UPPER OTTAWA STREET,
IN THE AREA SOUTH OF STONE CHURCH ROAD EAST

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982 and with the Official Plan as amended by Official Plan Amendment No. 92, proposed by the Council of The Corporation of the City of Hamilton as By-law No. 90-216, but not yet approved by The Regional Municipality of Hamilton-Wentworth in accordance with the provisions of Sections 4, 17 and 21 of the Planning Act, 1983.

AND WHEREAS the special conditions relating to this rezoning, referred to in Section 21.(c) of the 12th Report of the Planning and Development Committee adopted by City Council on June 26, 1990 have been satisfied.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "M-12" (Prestige Industrial) District provisions, as contained in Section 17D of Zoning By-law No. 6593, applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the following special requirements that,

- (a) notwithstanding Section 17D(1) of By-law No. 6593, the following Institutional Use shall be permitted:

<u>S.I.C. Identification Number</u>	<u>Permitted Use</u>
8635	Public Health Clinics/ Community Medical Centres

- (b) notwithstanding Section 17D(1)(b) of By-law No. 6593, the following Commercial Uses shall be permitted:

<u>S.I.C. Identification Number</u>	<u>Permitted Use</u>
6213	Furniture Refinishing and Repair Shops
6223	Appliance, Television, Radio and Stereo Repair Shops
6231...	5 Floor Covering Stores
6232	Drapery Stores

<u>S.I.C. Identification Number</u>	<u>Permitted Use</u>
6532	Paint, Glass and Wallpaper Stores
7611	Insurance and Real Estate Agencies
7731	Offices of Chartered and Certified Accountants
7739	Other Accounting and Bookkeeping Services
7761	Offices of Lawyers and Notaries
7771	Management Consulting Services

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "M-12" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1182.

4. Sheets No. E-59C and E-59D of the District Maps are amended by marking the lands referred to in section 1 of this by-law, S-1182.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this day of A.D. 1991.

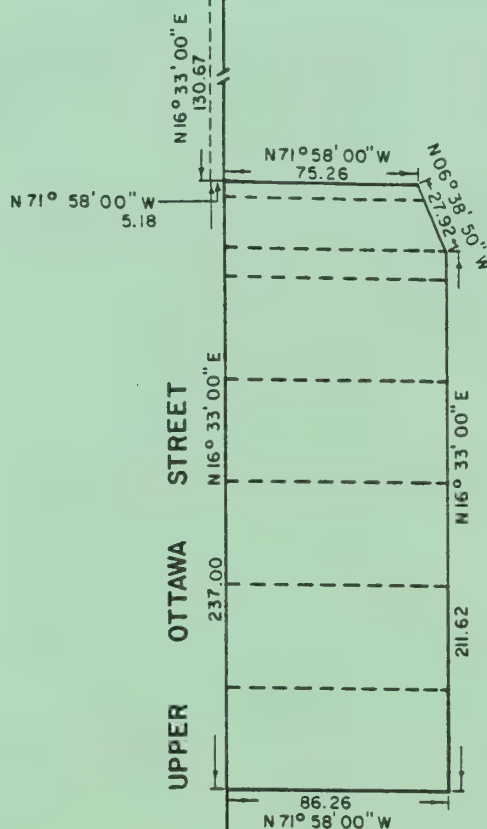
City Clerk

Mayor

(1990) 12 R.P.D.C. 21(b), June 26
 Taba Developments Ltd., (J. Frisch,
 A. Ishaky, and S. Mukamal), Owners
 ZA-90-22

NORTH WEST CORNER
OF LOT 4 - CON. 8

STONE CHURCH ROAD EAST



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 9 -
Passed the day of, 199 .

.....
Clerk

.....
Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 9 -

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend



Lands to be regulated by
By-Law No. 9 -

North



Scale
NOT TO SCALE

Date
June, 1990

Reference File No.
ZA 90-22

Drawn By
L.B.

The Corporation of the City of Hamilton

BY-LAW NO. 91-

To Amend:

Zoning By-law No. 6593
As Amended by By-law No. 89-69

Respecting:

LANDS LOCATED AT MUNICIPAL NUMBERS
1405, 1411 and 1417 UPPER JAMES STREET

WHEREAS By-law No. 89-69, passed by the Council of The Corporation of the City of Hamilton on the 14th day of February 1989, rezoned the above-captioned lands from "AA" (Agricultural) District to "HH" - 'H' (Restricted Community Shopping and Commercial - Holding) District, for the land comprised in Block 1 and from "C" (Urban Protected Residential, etc.) District to "HH" - 'H' (Restricted Community Shopping and Commercial - Holding) District, for the land comprised in Block 2, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A";

AND WHEREAS Section 2 of By-law No. 89-69 provides that upon the installation of such municipal sewers as the City deems necessary, the 'H' symbol shall be removed by amendment to By-law No. 89-69;

AND WHEREAS the municipal sewers as deemed necessary by the City have been installed as of August 24, 1990 and are available to service the subject lands;

AND WHEREAS this by-law does not conflict with the intent of the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982;

AND WHEREAS City Council in adopting Section 29 of the 11th Report of the Planning and Development Committee on July 30, 1991, recommended that the City Solicitor prepare the necessary by-law to remove the 'H' symbol in respect of the above lands.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The 'H' (Holding) symbol affixed by By-law No. 89-69, passed on the 14th day of February 1989, to the "HH" (Restricted Community Shopping and Commercial) District designation of Blocks 1 and 2, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", is hereby removed, and the development of the land may proceed in accordance with the "HH" (Restricted Community Shopping and Commercial) District provisions of Zoning By-law No. 6593, subject to the special requirements referred to in section 3 of By-law No. 89-69.

2. Sheet No. E-9C of the District Maps, appended to and forming part of Zoning By-law No. 6593, as amended by By-law No. 89-69, is further amended by changing from "HH" - 'H' (Restricted Community Shopping and Commercial - Holding) District to "HH" (Restricted Community Shopping and Commercial) District, the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the special requirements referred to in section 3 of By-law No. 89-69.

4. By-law No. 6593, as amended by By-law No. 89-69, passed on the 14th day of February 1989, is further amended by adding this by-law to section 19B as Schedule S-1099a.

5. Sheet No. E-9C of the District Maps, as amended by By-law No. 89-69, passed on the 14th day of February 1989, is further amended by marking the lands referred to in section 2 of this by-law, S-1099a.

PASSED this day of A.D. 1991.

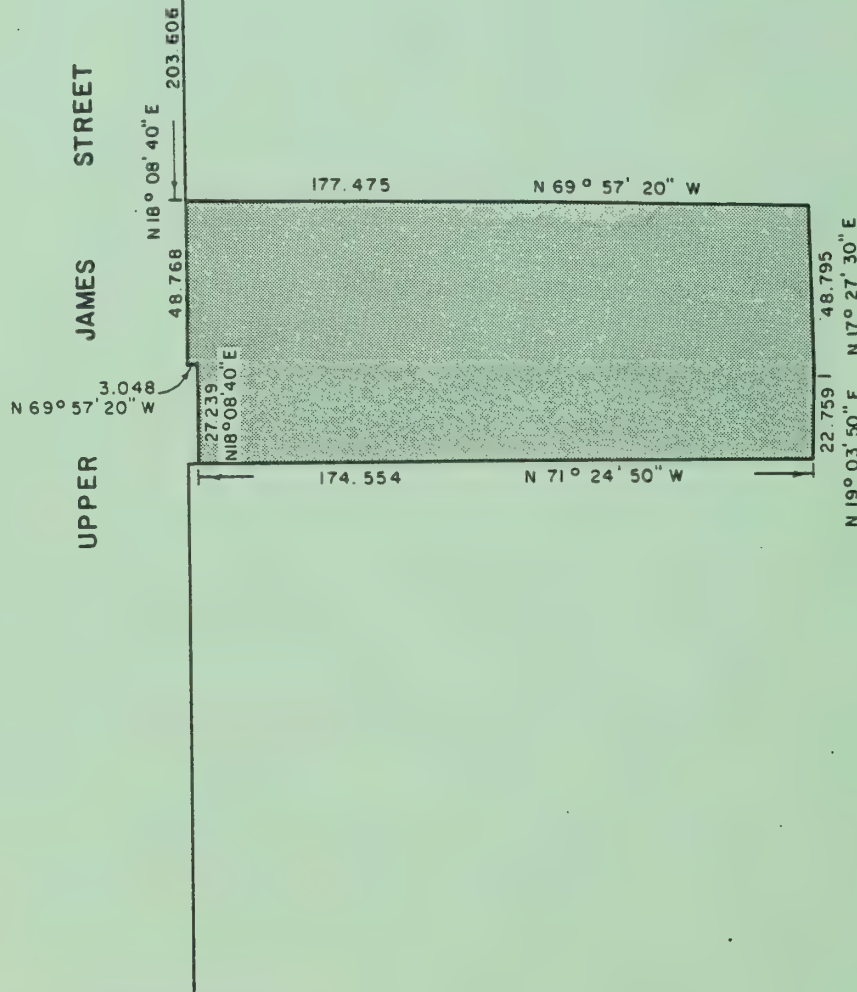
City Clerk

Mayor

(1991) 11 R.P.D.C. 29, July 30
John Paisley, In Trust, Owner
ZA-91-27

NORTHWEST CORNER
OF LOT 14 - CON. 8

STONE CHURCH ROAD EAST



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 91-.....
Passed the day of, 1991.

.....
Clerk

.....
Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 91-.....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend



Lands to be regulated by
By-Law No. 91-.....

North



Scale
NOT TO SCALE

Date
AUGUST, 1991

Reference File No.
ZA 91-27

Drawn By
L.B.

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 91-

TO EXPROPRIATE LANDS
FOR PARK AND MUNICIPAL PURPOSES

WHEREAS Section 193 of The Municipal Act, R.S.O. 1980, Chapter 302 states that the Council of a municipality may pass by-laws for acquiring or expropriating any land required for the purpose of the Corporation;

AND WHEREAS on August 28, 1990, The Corporation of the City of Hamilton, as an expropriating authority, pursuant to The Expropriations Act, R.S.O. 1980, Chapter 148, did authorize an application to the Council of The Corporation of the City of Hamilton, as approving authority, for approval of the expropriation of the lands set out in Schedule "A" below;

AND WHEREAS Notices of the said application as required under The Expropriations Act have been duly served in accordance with The Expropriations Act;

AND WHEREAS The Corporation of the City of Hamilton, as expropriating authority, did publish Notice of the said application in The Spectator, a newspaper having general circulation in the City of Hamilton in accordance with the said Expropriations Act;

AND WHEREAS no request for an inquiry hearing was received within the statutory period of time provided by the said Expropriation Act;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. As approving authority under The Expropriations Act, the Council of The Corporation of the City of Hamilton hereby approves the said application to expropriate the lands described in Schedule "A" set out below, for park and municipal purposes.
2. As expropriating authority under The Expropriations Act, The Corporation of the City of Hamilton hereby expropriates the lands described in Schedule "A" below for park and municipal purposes.

3. That the City Clerk and the proper officers of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to implement and give effect to the provisions of this by-law and this authority shall include the taking of all necessary proceedings to enter and take possession of the lands herein expropriated.

PASSED this day of , A.D. 1991.

ROBERT M. MORROW - Mayor

K. E. AVERY - City Clerk

SCHEDULE "A"

These certain parcels or tracts of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of Part of Lots 21 and 22, Registered Plan 255, designated as Parts 12, 13, 14 and 23 on Plan 62R-5451. Together with a right of way over Part of Lots 22 and 23, Registered Plan 255, designated as Parts 7, 8, 9, 10 and 11 on Plan 62R-5451. Subject to a right of way over Part of said Lot 22, designated as Parts 12, 13 and 14 on Plan 62R-5451.

(File 55-70/90.1, Item No. 10, Committee P & D 15-90, Council 90.08.28)

The Corporation of the City of Hamilton

BY-LAW NO. 91-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 90 LANCING DRIVE

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "M-14" (Prestige Industrial) District provisions, as contained in Section 17F of Zoning By-law No. 6593, applicable to the land the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the following special requirements that,

- (a) notwithstanding Section 17F(1)(b) of By-law No. 6593, the following Commercial Uses shall be permitted:

<u>S.I.C.</u> <u>Identification</u> <u>Number</u>	<u>Permitted Use</u>
6353	Muffler Replacement Shop
6355	Motor Vehicle Transmission Repair and Replacement Shop
6359	Other Motor Vehicle Repair Shops

- (b) notwithstanding Section 17F(1)(d)(1) of By-law No. 6593, the gross floor area restriction for accessory offices shall not apply.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "M-14" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1237.

4. Sheet No. E-59D of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1237.

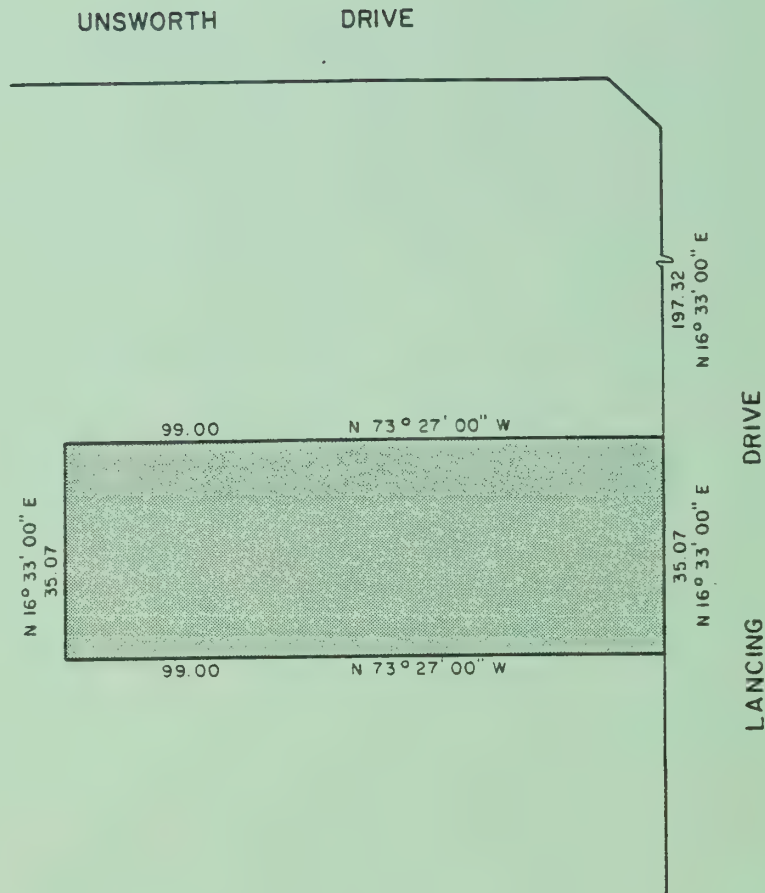
5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this day of A.D. 1991.

City Clerk

Mayor

(1991) 11 R.P.D.C. 25, July 30
Luciano Di Marcantonio, Owner
ZA-91-29



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 91-.....
Passed the day of ,1991.

.....
Clerk

.....
Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 91-.....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend



Lands to be regulated by
By-Law No. 91-.....

North	Scale NOT TO SCALE	Reference File No. ZA 91-29
	Date AUGUST, 1991	Drawn By L.B.

The Corporation of the City of Hamilton

BY-LAW NO.

To Authorize:

A MUNICIPAL QUESTION TO THE VOTE OF THE ELECTORS

WHEREAS paragraph 25 of section 208 of The Municipal Act, R.S.O. 1980, Chapter 302 provides as follows:

208. By-laws may be passed by the councils of all municipalities:

25. For submitting to the vote of the electors
any municipal question not specifically
authorized by law to be submitted;

AND WHEREAS it is intended to be submitted to the vote of the electors a municipal question not specifically authorized by law.

NOW THEREFORE The Council of the Corporation of the City of Hamilton enacts as follows:

1. It is hereby authorized and directed that the following question be submitted to the vote of the electors by placing the question on the ballot for the regular municipal election to be held on November 12, 1991:

Are you in favour of the Province of Ontario
legalizing Sunday and Holiday Shopping?

Yes No

PASSED this day of A.D. 1991.

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 91-

To Authorize:

THE CENTRAL/BEASLEY P.R.I.D.E. HOUSING INTENSIFICATION PROGRAM

WHEREAS the Ontario Municipal Board by Order dated the 3rd day of July 1991, (File No. E 910641), approved,

- (a) the Central/Beasley P.R.I.D.E. Housing Intensification Program at an estimated cost of \$1,440,000.00, and the borrowing of money by way of temporary advances not exceeding in the aggregate such estimated cost pending the sale of debentures, and
- (b) the issuance of the necessary debentures to a maximum of \$720,000.00 for a term not to exceed twenty years by The Regional Municipality of Hamilton-Wentworth chargeable to the applicant corporation;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The undertaking described as the Central/Beasley P.R.I.D.E. Housing Intensification Program may now be proceeded with in accordance with the Ontario Municipal Board Order dated the 3rd day of July 1991.

2. The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all such things necessary to give effect to the said Order of the Ontario Municipal Board.

PASSED this day of A.D. 1991.

City Clerk

Mayor

BY-LAW NO. 91 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 27TH DAY OF AUGUST A.D., 1991.

WHEREAS by Section 19 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 103 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario 1980, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 27th day of August A.D. 1991

DEPUTY CITY CLERK

MAYOR

ACCOPRESS®



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25072	LIGHT BLUE
25073	DARK BLUE
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